

The question is now fairly before this House for consideration. Upon the purely economical grounds on which the gentleman from Georgia has discussed it, I might be unwilling to announce that I should certainly be in favor of the proposition; but it is upon broader grounds that I advocate this appropriation; and notwithstanding the "sly approaches" which have been made to the sub-committee in charge of the measure, I trust that the appropriation will be made.

Mr. ROBESON. Mr. Chairman, I am in favor of this appropriation upon the ground intimated by the gentleman from New York, [Mr. HISCOCK.] Under ordinary circumstances no expenditure of \$200,000 would be required to establish coaling stations sufficient for the needs of the American Navy on the shores of the Gulf and the Pacific Ocean, washing the isthmus between North and South America. But at this time the attention of the House is directed toward that portion of America lying between the two continents; and all the commercial energies of the world are directed toward the enterprise of cutting a great ship-canal or making some other communication between the waters that wash either shore of that isthmus.

Under these circumstances existing to-day and which must exist for twenty years to come, if not for all time, it will be the bounden patriotic duty of every Executive of the United States to gather at that point, on both shores, whatever of power in the American Navy can be spared for the purpose. We cannot allow the nations of the world to take possession of that isthmus and control its relation to international commerce, without our being at least present there to see that it is not done in violation of our treaties and in disregard of our interests. Therefore I say that it will be incumbent upon every Executive in the future, as long as this question shall be agitated, to gather there whatever of naval strength there may be at his command, to represent there our flag and the destinies and interests of our Government.

If that be so, \$200,000 committed to the discretion, not of the present Executive, not of the present Navy Department, but the incoming Executive, the new Department that is to be installed this spring—\$200,000 to be applied at the discretion of the Executive along that stretch of a thousand miles, wherever it may be best for the Government to set down its stakes, is not too much for the interests of commerce, for the strength of the Navy, and for the patriotism of this country.

[Here the hammer fell.]

Mr. HOOKER. Mr. Chairman, I desire to say a single word in support of the amendment of my friend from Virginia. Something has been said by the gentleman from Ohio and by other gentlemen who have spoken in reference to particular places where this appropriation is to be expended. It is well understood that there are now three great routes proposed by which the commerce flowing from the great Father of Waters, with its thousand tributaries, is to find transit between the Atlantic and the Pacific Ocean. I do not know, sir, that I am particularly wedded to its location at any one point. But it is inevitable that across the Isthmus somewhere, either at Panama, at Nicaragua, or at Tehuantepec the great impulse of the commerce of the country will force an inter-oceanic communication. The necessity is urgent that this Government shall be prepared, wherever that transit from ocean to ocean may be made, to protect its great commercial interests flowing from one ocean to the other.

The amount proposed by my friend from Virginia, whether it shall be appropriated at one point or at another, is insignificant in comparison with the great interests involved. It is proposed to give to the Executive the power to expend this appropriation, or so much thereof as may be necessary, in the interest of this interoceanic communication. Whether it shall be accomplished by railway across the continent on the one plan proposed, or by water-ways on the two other plans proposed, the great commercial interests of this country will be advantaged (so says your present Secretary of the Navy) to an extent that may save you at least a quarter of a million of dollars in a single year. The great commercial interests to be subserved cannot be subserved unless you are prepared to maintain American interests on either ocean; and the sum proposed by my friend from Virginia is a bagatelle in comparison with the great commercial interests at stake.

Gentlemen may talk about private interests being favored by this, that, or the other route; but I say to you, Mr. Chairman, and to this committee, that this great commercial confluence between the two oceans will force itself somewhere, and when it does so the Government of the United States ought to be prepared to maintain itself by the possession of suitable coaling stations and facilities for the reception of vessels equal to those of any other nation.

I say, therefore, Mr. Chairman, the amount proposed is a bagatelle in comparison with this great matter. This interoceanic commerce will go through somewhere, and wherever it goes through it ought to be protected by the American Government and by the money of the American people, judiciously expended.

[Here the hammer fell.]

Mr. BLOUNT. I desire to say the reporters and clerks, who have been on duty all night and all day yesterday and all day to-day, are worn out and need rest; and, therefore, in justice to them I move the committee rise.

Mr. GOODE. Let us settle this first.

Mr. HASKELL. I should like to ask a question concerning this matter.

Mr. BLOUNT. No; I move the committee rise, and, if necessary, shall demand a division.

The committee divided; and there were—ayes 72, noes 69.

So the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HARRIS, of Virginia, reported that the Committee of the Whole House on the state of the Union had, according to order, had under consideration the bill (H. R. No. 7203) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1882, and for other purposes, and had come to no resolution thereon.

Mr. BLOUNT. I move the House adjourn, and shall insist upon the regular order of business.

The motion was agreed to; and accordingly (at four o'clock p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions, memorials, and other papers were laid on the Clerk's desk, under the rule, and referred as follows, viz:

By Mr. BRENTS: The petition of David Henry Shaw, for a pension—to the Committee on Pensions.

By Mr. BREWER: The petition of A. C. Kent and 50 others, citizens of Clinton County, and of G. F. Plowman and 21 others, citizens of Westphalia, Michigan, for the passage of a law to protect innocent purchasers of patented articles—to the Committee on Patents.

Also, the petition of the same parties, for the passage of a law to regulate interstate commerce—to the Committee on Commerce.

Also, the petition of the same parties, that the Commissioner of Agriculture be made a Cabinet officer—to the Committee on Agriculture.

Also, the petition of the same parties, for the passage of an income-tax law—to the Committee on Ways and Means.

By Mr. COWGILL: Resolution of the Legislature of Indiana, asking an appropriation to reconstruct the Wabash and Erie Canal—to the Committee on Railways and Canals.

Also, the petition of Thomas Lee, for a pension—to the Committee on Invalid Pensions.

By Mr. DEUSTER: The petition of 320 citizens of Milwaukee, Wisconsin, for the repeal of the tax on bank deposits—to the Committee on Ways and Means.

By Mr. McLANE: The petition of 1,500 merchants and other citizens of Baltimore, Maryland, of similar import—to the same committee.

By Mr. MORTON: Memorial of 4,000 merchants, manufacturers, mechanics, and others of the city of New York, of similar import—to the same committee.

By Mr. STEPHENS: The petition of J. D. Brown, W. R. Hendricks, and others, citizens of Elbert County, Georgia, for legislation relating to interstate commerce—to the Committee on Commerce.

By Mr. STEVENSON: The petition of soldiers of Tazewell County, Illinois, against the passage of Senate bill No. 496—to the Committee on Invalid Pensions.

By Mr. AMOS TOWNSEND: The petition of W. P. Southworth and 800 others, citizens of Cleveland, Ohio, for the repeal of the tax on bank deposits—to the Committee on Ways and Means.

By Mr. VALENTINE: The petition of 240 citizens of Omaha, Nebraska, of similar import—to the same committee.

IN SENATE.

SATURDAY, February 26, 1881.

The Senate met at eleven o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a letter from the Secretary of War, transmitting a communication from the Superintendent of the United States Military Academy calling attention to the omission in the Military Academy appropriation bill of the item of \$12,500 for construction of barracks for the cavalry detachment at West Point, and recommending that the same be inserted in the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a letter from the Secretary of War, transmitting, in compliance with a resolution of the 19th instant, a report of January 15, 1881, from the board of engineers for the Pacific coast; which was referred to the Committee on Commerce, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PENDLETON presented the memorial of Thomas Brooks and 38 others, citizens of Ohio, and the memorial of Jehu Marris and 26 others, citizens of Pennsville, Ohio, surviving soldiers of the war for the Union, remonstrating against the passage of the bill (S. No. 496)

providing for the examination and adjudication of pension claims; which were ordered to lie on the table.

Mr. LOGAN presented resolutions of Forsyth Post, of Toledo, Ohio, Grand Army of the Republic, favoring the passage of a law granting a pension to Hannah S. Commager, widow of the late General Henry S. Commager; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. KERNAN, from the Committee on Patents, to whom was referred the bill (H. R. No. 5066) to provide for the preparation of classified abridgments of all letters-patent of the United States, reported it without amendment.

Mr. GROVER, from the Committee on Public Lands, to whom was referred the bill (S. No. 1066) to grant certain public lands in Alabama in aid of the Warrior and Tennessee Rivers Railroad, reported it with amendments.

Mr. SAULSBURY. I reported yesterday from the Committee on Post-Offices and Post-Roads a bill (S. No. 2190) for the relief of John H. Templeton. Since that time a bill (H. R. No. 7160) for the relief of John H. Templeton, in precisely the same words, has come to the Senate and been referred to that Committee, and I am now instructed to report it back with the amendment that was offered to the Senate bill yesterday.

The VICE-PRESIDENT. The bill will be placed on the Calendar. Mr. FERRY, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. No. 5832) for the relief of David W. Bell, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

Mr. PLATT, from the Committee on Patents, to whom was referred the petition of Timothy Earle, of Valley Falls, Rhode Island, praying for the extension of the patent on his egg-beater, submitted a report thereon, accompanied by a bill (S. No. 2219) for the relief of Timothy Earle.

The bill was read twice by its title, and the report was ordered to be printed.

Mr. BALDWIN, from the Committee on Commerce, to whom was referred the bill (S. No. 2084) to authorize the Secretary of the Treasury to issue an American register to the steam-barge Tecumseh, reported it with an amendment.

Mr. KERNAN, from the Committee on Patents, to whom was referred the bill (S. No. 2036) for the relief of C. Theodor Burchardt, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

Mr. CAMERON, of Pennsylvania. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. No. 3477) for the relief of Carlile Boyd, to report it favorably and without amendment.

Mr. COCKRELL. That is not a unanimous report of the committee. In behalf of myself and another member of the committee, I desire to state that we wish to submit an adverse report. That report was not submitted to a full committee in committee meeting, but simply to the members on the floor here. There was an adverse report by the committee unanimously adopted in the same case on a former bill in this same Congress, and we will submit that as an adverse report in this case.

The VICE-PRESIDENT. The Chair hears no objection to leave being granted to the minority to submit their views.

Mr. CAMERON, of Pennsylvania. In reply to the Senator from Missouri I will state that by authority of the committee this report was submitted to each and every member of the committee. I did not state it was a unanimous report; but it is the report of a majority of the committee.

Mr. COCKRELL. It was submitted to them, not in committee meeting, where it could be discussed, but on the floor of the Senate. There is no question about that.

Mr. CAMERON, of Pennsylvania. By authority of the committee. Mr. BAYARD, from the Committee on Finance, to whom was referred the bill (S. No. 2197) to amend section 3363 of the Revised Statutes, reported it with an amendment.

Mr. BURNSIDE, from the Committee on Military Affairs, submitted the views of the minority on the bill (S. No. 129) authorizing the restoration of the name of Thomas H. Carpenter, late captain Seventeenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers; which were ordered to be printed.

BILLS INTRODUCED.

Mr. VANCE asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 2220) to authorize the Secretary of War to purchase certain papers relating to the late war; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LAMAR asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 2221) granting the right of way to the New Orleans and Northeastern Railroad Company through the public lands along their route between New Orleans, Louisiana, and Meridian, Mississippi; which was read twice by its title, and referred to the Committee on Railroads.

Mr. VOORHEES asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 2222) for the relief of Flora A. Skinner, widow of Gilbert A. Skinner, deceased; which was read twice by its title, and referred to the Committee on Claims.

UNITED STATES MARSHAL FOR SOUTH CAROLINA.

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

Resolved, That the Committee on the Judiciary of the Senate be, and they are hereby, instructed to inquire and report by what authority and under whose appointment R. M. Wallace is exercising the duties of the office of United States marshal for South Carolina.

ISTHMUS SHIP-CANALS.

Mr. EATON. I desire to give notice that on the conclusion of the morning business, or rather just after half past one o'clock, I will ask the Senate to take up the concurrent resolution I had the honor to submit, as the organ of the Committee on Foreign Relations, on the 16th instant, in relation to the isthmus ship-canal, on which my friend from Rhode Island [Mr. BURNSIDE] desires to submit a few remarks; and then without further discussion of the question, unless some Senator wishes to be heard, I shall ask for a vote.

CHARGES AGAINST FORMER CHIEF CLERK OF INDIAN BUREAU.

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

Resolved, That the Secretary of the Interior be, and he is hereby, directed to furnish for the Senate Library two copies, and to each member of the Senate one copy, if there be so many in his Department, of the printed testimony and the report of the board of inquiry convened by the letter of the Secretary June 7, 1877, to investigate certain charges preferred by John B. Wolf and others against S. A. Galpin, former chief clerk of the Indian Bureau, and concerning irregularities in said bureau, and dated December 31, 1877.

CALENDAR OF HOUSE BILLS.

Mr. RANSOM. I gave notice yesterday that at the expiration of the morning business this morning I should ask the Senate to take up the river and harbor bill.

The VICE-PRESIDENT. Is there further business for the morning hour?

Mr. HARRIS. I ask the Senate to consider at this time the resolution I had the honor to offer on the 25th of January last.

The VICE-PRESIDENT. In the morning hour the Senator from Tennessee calls from the Calendar for consideration a resolution, which will be reported.

The Chief Clerk read the resolution, as follows:

Resolved, That at the conclusion of the morning business for each day, unless upon motion the Senate shall otherwise order, the Senate will proceed to the consideration of House bills which have been favorably reported, and continue such consideration until half past one o'clock; bills to be taken up in their order upon the Calendar; and this order shall commence immediately after the call for "concurrent and other resolutions," subject to the rules governing the business of the morning hour.

The VICE-PRESIDENT. Will the Senate agree to the resolution?

Mr. RANSOM. I am very willing that that shall be adopted if it does not take effect to-day.

Mr. TELLER. Let it take effect to-day.

Mr. ANTHONY. It only goes on to half past one.

Mr. HARRIS. There are now sixty-odd bills which have passed the House and been favorably reported by Senate committees and which are upon the Calendar. If the Senate proposes to devote its time to the practical work of legislation, to the accomplishment of legislative results, there being but four days remaining of this session—

Mr. DAVIS, of Illinois. Five.

Mr. HARRIS. Five including this day—it would seem absolutely necessary that we devote our time to the consideration of these House bills; and while I shall very cheerfully aid the Senator from North Carolina in getting up his bill for consideration after the morning hour, I am inclined to think that the two hours remaining of the morning hour of to-day had better be devoted to the consideration of these House bills. I will then aid the Senator, so far as I am able, to get up his bill and I am willing to stay here to any hour, day or night, to complete the consideration of it.

Mr. RANSOM. Anxious as I am to take up the river and harbor bill at this moment, after the statement of the Senator from Tennessee I feel that I should, be doing myself injustice if I were to insist upon it; and with the understanding he has just given utterance to that we shall finish the river and harbor bill to-day, I will interpose no objection to the resolution.

Mr. TELLER. I do not give my consent to that proposition. I do not propose to be precluded by a statement that we are to "sit out" the river and harbor bill to-day.

The VICE-PRESIDENT. There is no motion of that kind before the Senate.

Mr. TELLER. There was such a statement made, and I thought it was due to say that I do not assent to it.

Mr. McDONALD. I desire to know the scope of this resolution. Is it intended to consider all House bills, or only the House bills now on the Calendar?

Mr. DAVIS, of Illinois. House bills on the Calendar reported favorably.

Mr. HARRIS. The scope of the resolution evidently applies to all the House bills favorably reported now on the Calendar and as they come upon the Calendar.

Mr. McDONALD. Then I am opposed to it if that is giving up the rest of this session of the Senate to the work of the House, and nothing else. I understand that there are at least one hundred and

fifty bills of the Senate on the House Calendar which have not been reached, and there seems to be no purpose of reaching them. If we are to become from this time until the end of the session simply a registering body to register House bills and pass them—

Mr. HARRIS. Will the Senator from Indiana allow me to ask him, if there be one hundred and fifty Senate bills now on the table of the House, if he thinks it is wise for us to continue to send these Senate bills at this late hour of the session to increase that number which lies upon that table unacted upon, when there are sixty bills that have passed the House and that have met the approval of committees of the Senate that remain unacted upon and unconsidered in this body? Is it not more practical and proper that we should devote our time to the consideration of those bills thus advanced in the line of legislation?

Mr. McDONALD. Those bills thus advanced I am willing to consider, but I am not willing to adopt a resolution that not only embraces them but all that may hereafter be reported and placed on the Calendar.

Mr. HARRIS. I shall not object to an amendment, if the Senator sees proper to offer it, to exclude those which may come hereafter.

Mr. McDONALD. Therefore I move to amend this resolution by limiting it to the House bills now on the Calendar.

Mr. HARRIS. I will modify the resolution so as to make it read "House bills now on the Calendar."

The VICE-PRESIDENT. There is an amendment pending, proposed by the Senator from Maryland, [Mr. WYTHE,] which will be reported.

The CHIEF CLERK. It is proposed to strike out of the resolution the words "which have been favorably reported."

Mr. JOHNSTON. Does that resolution apply to bills on the Calendar with unfavorable reports?

Mr. ALLISON. All bills, favorably or unfavorably reported, will be included if we adopt this amendment.

Mr. HARRIS. The resolution itself provides for the consideration of House bill favorably reported. The amendment of the Senator from Maryland proposes to strike out "which have been favorably reported," and make it apply to all House bills whether favorably or adversely reported. I hope the amendment will not be adopted.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Maryland.

Mr. McDONALD. I desire to amend the amendment by saying "House bills now on the Calendar." I want it to apply to those which committees have adversely reported upon as well as those they have reported upon favorably. I desire, if we go to the House bills, an opportunity of giving my own judgment on the question of whether we ought or ought not to pass them. I am opposed to limiting the resolution to those which have been reported favorably.

The VICE-PRESIDENT. To the amendment of the Senator from Maryland the Senator from Indiana proposes an amendment; which will be read.

The CHIEF CLERK. After the word "bills" it is proposed to insert "now on the Calendar;" so as to read:

That at the conclusion of the morning business for each day, unless upon motion the Senate shall otherwise order, the Senate will proceed to the consideration of House bills now on the Calendar, and continue such consideration until half past one o'clock, &c.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Indiana to the amendment of the Senator from Maryland.

Mr. FERRY. I desire to ask the Senator from Indiana why he discriminates against other bills of the House which may be reported to the Senate between this time and the end of the session? Certainly such bills are just as meritorious as those which are now on the Calendar. It seems to me if the resolution is confined to House bills, that will cover the object all Senators have, and will not exclude those which may be reported between this and the close of the session.

Mr. HOAR. Allow me to call the attention of Senators to the fact that this is a totally immaterial matter, because the House bills now on the Calendar will occupy a good many days, and probably no new ones will ever be reached, and if any new ones ever are reached it will be in the power of a majority of the Senate to continue their consideration or set this order aside as it pleases. There is no sort of practical importance in the question.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on the amendment proposed by the Senator from Maryland.

The amendment was rejected.

The VICE-PRESIDENT. The question now is on agreeing to the resolution.

Mr. GARLAND. I believe from what has been stated by the Senator from Tennessee and others that with the exception of the appropriation bills this will give us as much as we ought to do during the remainder of this session. I propose now an amendment that we also devote in the same way the sessions we shall hold after the recess in the evening, under the resolution which was offered on the 16th instant by the Senator from Colorado [Mr. TELLER] and adopted by the Senate. I propose to amend the resolution by saying that the sessions that we hold in the evening, after the recess, shall be devoted to a like purpose.

Mr. DAVIS, of West Virginia. "Except the appropriation bills" at all times.

Mr. GARLAND. I have said that.

Mr. DAVIS, of West Virginia. I want that understood.

The VICE-PRESIDENT. The amendment of the Senator from Arkansas will be read.

The CHIEF CLERK. At the end of the resolution it is proposed to add:

And this resolution shall apply to the evening sessions provided for by the resolution adopted February 16, 1881.

Mr. HARRIS. I have no objection to that. It ought to be so.

The VICE-PRESIDENT. The amendment is accepted. The question is on the resolution as amended.

Mr. DAVIS, of West Virginia. It is understood that this is not to interfere with the appropriation bills.

Mr. HARRIS. Of course nobody would undertake to antagonize an appropriation bill with any of this legislation.

Mr. HOAR. Now let the resolution be reported as it stands amended.

The Chief Clerk read as follows:

Resolved, That at the conclusion of the morning business for each day, unless upon motion the Senate shall otherwise order, the Senate will proceed to the consideration of House bills which have been favorably reported, and continue such consideration until half-past one o'clock; bills to be taken up in their order upon the Calendar; and this order shall commence immediately after the call for "concurrent and other resolutions," subject to the rules governing the business of the morning hour. And this resolution shall apply to the evening sessions provided for by resolution adopted February 16, 1881.

The resolution was agreed to.

Mr. CAMERON, of Pennsylvania. I ask that the Senate consider the bill (S. No. 129) authorizing the restoration of the name of Thomas H. Carpenter, late captain Seventeenth Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers.

Mr. TELLER. I thought we were to go to the Calendar under the resolution just adopted.

Mr. HARRIS. What is the motion of the Senator from Pennsylvania?

The VICE-PRESIDENT. The Senator from Pennsylvania asks the Senate to consider at this time the bill named by him.

Mr. HARRIS. Mr. President, I take this occasion to say that after the morning business each day, until we have gone through with the House bills favorably reported upon the Calendar, I hope no Senator will regard it as in any possible sense personal to him that I shall object to the consideration of everything that interferes with the rule; and I object now to the consideration of any other than the business we have determined to consider.

The VICE-PRESIDENT. Is there further business for the morning hour? If not, the Senate proceeds to the consideration of the Calendar of House bills under the order just adopted. The Secretary will report the first House bill on the Calendar.

The bill (H. R. No. 4412) to regulate practice in suits brought to recover damages for infringement of patents was announced by the Chief Clerk as first in order.

Mr. DAVIS, of West Virginia. The order was to commence with the Calendar and take the House bills on the Calendar.

The VICE-PRESIDENT. Certainly. It applies to the beginning of the Calendar.

Mr. INGALLS. This is the first House bill on the Calendar.

Mr. DAVIS, of West Virginia. No; House joint resolution No. 116 is the first favorably reported.

Mr. ALLISON. There was a bill under consideration yesterday on the Calendar.

Mr. DAVIS, of West Virginia. When we come to it in its order it will be taken up.

Mr. ALLISON. It is the unfinished business.

Mr. TELLER. The resolution was to commence the Calendar, as I understood, where we left off, not to go back to the head of the Calendar.

The VICE-PRESIDENT. The resolution goes back to the head of the Calendar. Wherever a House bill is favorably reported, it is to be considered.

Mr. HARRIS. The resolution was to begin at the beginning of the Calendar.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. No. 1560) granting a pension to James B. White;

A bill (H. R. No. 6860) for the relief of William H. Davis;

A bill (H. R. No. 7111) restoring the name of Andrew J. Pennel to the pension-roll;

A joint resolution (H. R. No. 402) to provide for the publication of the memorial addresses on Evarts W. Farr;

A joint resolution (H. R. No. 401) in relation to the barge W. J. Spicer;

A joint resolution (H. R. No. 405) to print reports of the tenth census of the United States;

A joint resolution (H. R. No. 413) authorizing the Secretary of War to turn over to Governor Roberts, of Texas, such tents, poles, and pins

as he may require for the use of the volunteers of the State for their encampment for the year 1881; and

A joint resolution (H. R. No. 414) relating to loaning tents for soldiers' reunions in Indiana and Iowa.

The message also announced that the House had passed the joint resolution (S. R. No. 156) in relation to the international exhibition of 1883.

GEOLOGICAL SURVEY.

The VICE-PRESIDENT. The Secretary will report the first House bill on the Calendar favorably reported.

The Chief Clerk read the title of the joint resolution (H. R. No. 116) to amend the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1880, and for other purposes."

Mr. HOAR. I rise to a parliamentary inquiry. When the Calendar is taken up and a bill upon it is considered under the Anthony rule and it goes over to the following day, does not that bill take its place again, provided it be a bill within the description of the new resolution just passed?

The VICE-PRESIDENT. The Chair does not quite hear the Senator but he thinks he apprehends the point.

Mr. HOAR. My question is this: If a House bill be taken up in the morning hour under the Anthony rule when the Calendar is under consideration and we proceed with its consideration under that rule, and it is unfinished at the expiration of the morning hour, does it not keep its place on the Calendar provided it be a bill within the description of the resolution just passed?

The VICE-PRESIDENT. The Chair thinks the resolution just passed supersedes the Anthony rule so far as House bills are concerned. The resolution will be again read.

Mr. HOAR. I reserve the point of order. The patent bill was taken up yesterday in its place upon the Calendar and was considered under the rule then in force and has not been disposed of. Although there was debate upon it in which Senators took very much more than five minutes' length, yet the attention of the occupant of the chair, the Senator from Missouri, [Mr. COCKRELL,] being called to it, he ruled that we were still going on under the Anthony rule yesterday. Now comes in a new provision saying that House bills upon the Calendar shall be taken up in their order under the rules affecting the morning hour, one of which is the Anthony rule to that extent. In other words this bill is entitled to its place under both rules, under the rule under which it was taken up yesterday and under the rule which is in operation to-day. That is a House bill favorably reported by a Senate committee and it stands the first bill on the Calendar.

The VICE-PRESIDENT. The Secretary will report the resolution just adopted.

The Chief Clerk read as follows:

Resolved, That at the conclusion of the morning business for each day, unless upon motion the Senate shall otherwise order, the Senate will proceed to the consideration of House bills which have been favorably reported, and continue such consideration until half past one o'clock; bills to be taken up in their order upon the Calendar; and this order shall commence immediately after the call for "concurrent and other resolutions," subject to the rules governing the business of the morning hour. And this resolution shall apply to the evening sessions provided for by the resolution adopted February 16, 1881.

Mr. HOAR. Now, as I understand the effect of this resolution with the words "bills to be taken up in their order upon the Calendar," we go back to the beginning of the Calendar without regard to the point where the Senate was. I think the Chair is right.

The VICE-PRESIDENT. The Chair thinks that this, so far as House bills are concerned, supersedes the Anthony rule.

Mr. INGALLS. I rise to another question of order. The measure called for by the Senator from West Virginia is not a House bill, and it cannot be considered under the terms of the order as adopted by the Senate, and on that I ask the ruling of the Chair. That order last adopted must be construed strictly. Being in derogation of the common law of the Senate, it must be construed strictly, and the language here employed is "House bills," and this is not a House bill.

The VICE-PRESIDENT. The Chair thinks that that is a little critical, but will submit the question to the Senate.

Mr. DAVIS, of West Virginia. One word before it is submitted. This is a House joint resolution which requires the same process exactly, three readings, as a bill. It is put upon the Calendar as a bill; it is treated as a bill; it comes from the Committee on Appropriations regularly reported, and is the oldest bill upon the Calendar, and probably the only one that has stood here a year or more.

Mr. LOGAN. What is it?

Mr. DAVIS, of West Virginia. It relates to the geological survey in the States. The manner of the passage of this joint resolution is exactly the same as that of a bill; it is treated as a bill, and if the Senator prefers it can be made a bill, but the effect is just the same. The Chief Clerk believed it to be the same as a bill, because it is placed on the Calendar as a bill.

The VICE-PRESIDENT. The Chair agrees with the Senator from West Virginia, but he will submit the question to the Senate. Is a House joint resolution a bill within the meaning of the resolution just adopted?

Mr. DAVIS, of West Virginia. I am glad the Chair agrees with me.

The VICE-PRESIDENT. The Chair will put the question, [putting the question.] The ayes have it by the sound.

Mr. INGALLS. One moment.

Mr. LOGAN. I desire to call the attention of the Senator from West Virginia to the fact that if this is in reference to geological surveys in the States I do not think it would have any effect whatever. So far as making a survey of unoccupied land is concerned, it can be done just as well now as if you passed four hundred resolutions. You cannot provide by joint resolution that the geological survey shall enter upon private lands unless by consent of the owner.

Mr. DAVIS, of West Virginia. Certainly not.

Mr. LOGAN. The occupied lands in the State are subject to geological survey now by direction of the Secretary of the Interior.

Mr. DAVIS, of West Virginia. Oh, no.

Mr. LOGAN. Why not?

The VICE-PRESIDENT. Does the Senator from Kansas desire a further count upon the question submitted?

Mr. INGALLS. No, Mr. President. I propose, if I have a right to do so under the rule just adopted, as I am convinced that this measure will lead to a debate that may be very protracted, to object to the consideration of the joint resolution at this time.

Mr. DAVIS, of West Virginia. No objection can be made under the resolution we have passed, as I understand. The resolution does not allow one objection, as I understand, to have effect.

Mr. INGALLS. I ask for the ruling of the Chair on that subject. I understand we are proceeding under the Anthony rule as modified by the subsequent order of the Senate.

The VICE-PRESIDENT. The Chair has indicated his opinion, or, rather, given it decidedly, that the Anthony rule is wholly superseded, and the Chair thinks that a solitary objection will not postpone a House bill under the resolution under which the Senate is now acting.

Mr. BECK. Is it understood that this joint resolution is now before the Senate?

The VICE-PRESIDENT. It is. It will be read.

Mr. BECK. Is it in a shape where it is to go to the final reading, or is it subject to objection?

The VICE-PRESIDENT. One objection does not obviate its present consideration; it is subject to any motion for its disposition temporarily or finally.

Mr. TELLER. If that is the understanding of the resolution, I will move to reconsider the resolution that has just been passed. I do not believe that the Senate understood that they were to take up these bills and dispose of them no matter what might be the debate upon them; I did not, and I do not believe anybody did.

Mr. DAVIS, of West Virginia. I rise to a point of order.

Mr. TELLER. I enter the motion to reconsider the resolution.

The VICE-PRESIDENT. Does the Senator desire the question put at this time.

Mr. TELLER. I do, unless somebody wants to say something.

Mr. DAVIS, of West Virginia. That is not in order while the bill is pending.

The VICE-PRESIDENT. The bill has not been read to the Senate yet.

Mr. DAVIS, of West Virginia. I thought it had been.

The VICE-PRESIDENT. The Senator from Colorado moves to reconsider the vote by which the resolution introduced by the Senator from Tennessee was agreed to.

Mr. HARRIS. I move to lay that motion to reconsider on the table.

The VICE-PRESIDENT. The Senator from Tennessee moves to lay on the table the motion to reconsider. The question is on that motion.

The motion to lay on the table was agreed to.

Mr. BLAIR. I should like to hear the resolution offered by the Senator from Tennessee read.

The VICE-PRESIDENT. It will be read again for information.

The Chief Clerk again read the resolution adopted this morning.

Mr. BLAIR. Does the Chair rule that under that resolution there is no limitation of the length of debate?

The VICE-PRESIDENT. The Chair has made no ruling on that point. That point has not been stated before.

Mr. BLAIR. I understood that was the ruling of the Chair.

Mr. FERRY. I wish to call the attention of the Chair to the clause "subject to the rules of the Senate." The Senate having adopted the Anthony rule within the morning hour, which confines debate to five minutes, I desire the special attention of the Chair to that feature which modifies the resolution of the Senator from Tennessee. Certainly it is subject to the rules of the Senate, and the Anthony rule has been adopted by the Senate. The resolution of the Senator from Tennessee is simply directing the kind of business which the Senate will enter upon within the morning hour and the evening session, but at all times subject to the former rules of the Senate.

Mr. HARRIS. "Subject to the rules governing the business of the morning hour" is the language as it appears in the resolution; and that refers, I apprehend, and was certainly intended to refer, to the morning business proper. I should be glad to have the Senate confine debate to five minutes, but it was not the intention of the resolution; nor do I think it is the meaning of the resolution that by its terms it does limit debate to five minutes.

Mr. FERRY. It is subject, not to the business of the Senate, but to the rules of the Senate; and the Anthony rule having been adopted, it certainly is applicable.

Mr. HARRIS. In respect to morning business proper is the application of that language, as I think.

The VICE-PRESIDENT. The language is "the business of the morning hour."

Mr. FERRY. I suggest to the Chair that what it applies to is within the morning hour, because that is the only force the Anthony rule has, but so far as the morning hour is concerned it seems to me this resolution is subject to the rule adopted heretofore known as the Anthony rule.

The VICE-PRESIDENT. The Chair agrees with the Senator so far as the limits of debate are concerned, the Senate having held on several occasions that the Anthony rule was the prolongation of the morning hour; but the Chair would much prefer that the Senate should put its own construction on the rule.

Mr. BECK. Mr. President, I wish—

Mr. TELLER. I ask the Senator to allow me to offer a resolution as to limiting debate.

Mr. BECK. It is on that question that I desire to say a word.

Mr. TELLER. I will wait.

Mr. BECK. In the ordinary cases that I supposed would come up under these rules, I was anxious to have the five-minute limitation apply to debate; but we are met at the very threshold with a bill now the effect of which is to establish a new department of the Government, and one of the most costly and one I think interfering more materially with the business of this country than any that has ever been attempted. We are asked in the Book of Estimates for the current fiscal year to give Mr. Clarence King and his assistants \$340,000.

Mr. DAVIS, of West Virginia. May I ask whether the bill is before the Senate or not?

Mr. BECK. I am on the floor and have five minutes. I hope the bill will never get through.

Mr. DAVIS, of West Virginia. I inquire whether the joint resolution is now before the Senate? This inquiry will not be taken out of my friend's time.

The VICE-PRESIDENT. The joint resolution is not properly before the Senate. The Chair thinks business would be very much facilitated by a proper understanding of the matter at this time.

Mr. HOAR. I desire to say that when this resolution was passed I listened to it to see whether it was liable to the objection of an amendment offered by the Senator from Maryland, [Mr. WYTHE,] which provided that it should take five objections to carry over a bill, and that was proposed to be added as an amendment to a resolution limiting debate to five minutes, the result of which would have been the adoption of the previous question by the Senate for the first time in its history. I understood the clause which said this should be under the rules applicable to morning business to mean, and to be intended by the honorable Senator from Tennessee to mean, that it was subject in that respect to the Anthony rule. Otherwise I never should have given my assent to it, and I should desire to move its reconsideration immediately. Upon discussion the Senate voted down the amendment of the honorable Senator from Maryland, with but two dissenting voices, one of them being his own; and the Senator from Vermont [Mr. EDMUNDS] made, as the Senate will recollect, the statement that it would be better to have a dozen extra sessions of Congress and to remain here discussing the question for some long time than to have free speech in the Senate limited or curtailed by its rules. I suppose I am violating no propriety in saying that in conversation with the Senator from Maryland afterwards he said that when he moved his amendment he did not see the effect of it, and that he thought the majority of the Senate were entirely right. If there be any opinion in which the Senate is unanimous it is that the previous question ought not to be introduced here. This is the only place in the Government of the United States where free and unlimited discussion of public questions is established as the prevailing law.

The VICE-PRESIDENT. The Chair stated a little while ago that he had not examined the resolution carefully but he thought one objection would not throw a bill over under its operation. The Chair thinks he was wrong in that opinion. It has been held by the Senate repeatedly that the Anthony rule is but a prolongation of the morning hour until half past one o'clock. The morning-hour rule proper does not provide for the consideration of any legislative measure. The words "morning hour" are meaningless unless they cover the Anthony rule. The Chair, therefore, is of the opinion that the Anthony rule controls, so far as debate and objections are concerned.

Mr. INGALLS. Under that ruling of the Chair, I offer an objection to the consideration of the joint resolution.

The VICE-PRESIDENT. The Chair, however, prefers that the Senate shall place its own construction on its rules.

Mr. FERRY. Before the Chair passes from the ruling I wish to say that I concur fully with him and am glad the Chair has settled the question; but I desire to call the attention of the Chair to the evening sessions. Does the rule apply to an evening session? I think the rule does not cover an evening session, but it is simply confined to the morning hour until half past one o'clock.

The VICE-PRESIDENT. The Chair thinks that it would apply to the evening session also made under this resolution.

Mr. FERRY. It applies to the evening session?

The VICE-PRESIDENT. It applies to the evening session.

Mr. DAVIS, of West Virginia. I understand the Chair now thinks that one objection carries any bill over that may be called up?

The VICE-PRESIDENT. The Chair is of that opinion, under the Anthony rule. Otherwise the resolution is meaningless in its reference to the rules governing morning business.

Mr. DAVIS, of West Virginia. Would it be in order under the resolution of this morning to move to lay aside the pending order and take up the joint resolution?

The VICE-PRESIDENT. Always.

Mr. DAVIS, of West Virginia. I will make a statement and then I will give way.

This joint resolution passed the House more than a year ago, was referred to the Senate Appropriations Committee, and reported back favorably with an amendment. The act of March 5, 1879, created a "Director of Geological Surveys." Professor Clarence King was appointed by the President and confirmed by the Senate and now has charge of the Bureau of Geological Surveys. The act as construed by the Secretary of the Interior confines the surveys to public land. The resolution under consideration proposes to give authority to make geological surveys within the States. The President in his recent message, the Secretary of the Interior, and the Director of Surveys, in their annual reports to Congress for 1880, all recommend a general and complete geological survey of the whole country, including States. The President-elect, when this resolution was under consideration in the House, gave it his influence and vote. All will agree that our vast mineral and other resources ought to be known to ourselves and the world. We have a country perhaps richer in minerals than the rest of the world, yet it is not fully or officially known and cannot be unless we make a complete geological survey and report of the entire country. If we wish our country developed, made rich and prosperous by enterprise and capital, from at home and abroad, we should give reliable information upon its unknown and vast resources. Some few States have made geological surveys which are more or less imperfect. The adjoining States perhaps have made no survey. A national survey will fill the gap and give great value to both or all. No State even if able and disposed to do so can make as valuable and perfect a survey as the United States can. If a general survey is made by the National Government all would come under one head or chief of the highest order. The Government now supports and pays the Director of Surveys and those connected with him, and this will continue whether the resolution becomes a law or not.

What we need is a good, perfect, full, and complete survey and report of the country as a whole, not in thirty-eight parts. If it is done by States, when you come to a State line the survey and comparison must stop, and perhaps adjoining States cannot or will not commence where the other ended. The coal or ore in one State or section may be worthless unless mixed or worked with another from a different section or State, which makes both or all valuable. If the surveys are confined to the "national domain," they will be small and of little practical use or value, for all work mines are owned by individuals or corporations, and are excluded from "national domain."

Why tax the States to sustain a geological bureau, and say the mineral resources of the States shall not be surveyed and known? The mineral worth of this country can never be known as a whole until a national geological survey is made and reported. It is said and believed that West Virginia has more coal and Virginia more iron-ore than Great Britain. Yet England produces more than a hundred times as much coal and iron as the two Virginias, and more than twice as much as our entire country. The mineral resources of no section of our country is fully known. According to the best authority I can find we may make the following comparisons:

Comparison of coal area and production.

Coal Section.	Area.		Production in 1877.
	Sq. miles.	Tons.	
Great Britain.....	11,900	134,179,968	
United States.....	192,000	50,000,000	
Pennsylvania.....	12,774	36,119,911	
Kentucky.....	12,871	850,000	
Ohio.....	10,000	5,250,000	
West Virginia.....	16,000	1,000,000	
Maryland.....	550	1,500,000	

Great Britain in 1877 produced 7,300,000 tons of steel and iron; the United States, 2,636,000 tons. The United States in the last ten years paid Great Britain for iron and steel about \$340,000,000, an average of, say, \$34,000,000 per annum. In 1872-'73 we imported iron and steel to about \$115,000,000. In September, 1873, our financial distress came and staid until 1879 or 1880. In 1878 and 1879 our imports of iron and steel were less than \$10,000,000 per annum. The year ending June 30, 1880, our import of iron and steel was \$53,714,008, which is five times as much as in 1878 or 1879. We imported and exported more during the fiscal year 1880 than any year in our history—

Exports..... \$835,638,658
Imports..... 667,954,746

Total..... 1,503,593,404

Excess of exports..... 167,638,912

The above figures are worthy of careful thought, and indicate that we should be careful, or the first year our crops are bad and Europe's

good the balance of trade will be against us and the panic of September, 1873, may repeat itself.

I am reliably informed that every progressive government of the Old World has made or is at work making full and complete geological surveys, and that much of the great wealth and prosperity of England, Germany, and France comes from that source.

It was supposed a few years ago that Germany had little coal worth mining. A geological survey developed a large quantity of coal. Now about fifty million tons per annum is produced in Germany. Russia has more than doubled her production of coal in the last few years. Ours is supposed to be the richest country in the world in mineral resources, especially in iron and coal, yet this is not officially and fully known or improved.

During last year we imported from Great Britain alone about fifty million dollars' worth of iron and steel; also about two million dollars' worth of coal. Think of it. With our vast resources of iron-ore and coal, that a country three thousand miles from us should send us in a single year between fifty and sixty million dollars of iron, steel, and coal.

Great Britain produces more than five hundred million dollars and exports more than one hundred million dollars' worth of steel, iron, and coal per annum. Give our States and country a good and complete natural geological survey and we may do as Britain does. Some have objected to this resolution on State-rights principles. The committee's amendment removes that objection, and requires consent of States before survey is made. Some may say the expenses of the surveys will be considerable. In my judgment the return will be a thousand for one, and the expense will not be great. We have had in progress for years a Coast Survey and a Fish Commission and an Agricultural Department which is subject to the same objection, both as to cost and State rights, as this resolution.

This resolution appropriates no money. Congress must from year to year appropriate money or none will be spent. The act of 1879, creating a "director of geological survey," says:

The director and members of the geological survey shall have no personal or private interest in the lands or mineral wealth of the region under survey, and shall execute no survey or examination for private parties or corporations.

Why survey the public domain at the expense and neglect of the States, when next year or day the "public domain" may belong to a private party or corporation, and in a State I take it all will agree we ought to have a general geological survey, to the end that our great mineral resources and wealth shall be known and developed. The question is, ought the survey be made as a whole by the National Government or by thirty-eight States and eight Territories, in forty or fifty parts, at different times, and under different heads or chiefs?

Many of the States cannot afford to make complete geological surveys and to furnish the necessary machinery or apparatus for properly testing the different coals, ores, &c. If a national survey of the entire country be made, one set of men, machinery, and apparatus will answer for all.

A United States survey of the whole country will give a high national character and value to it, and will be accepted at home and abroad as valuable and reliable. Mineral resources and their development, like agriculture, manufactures, and commerce, add to the substantial wealth of a nation and the people. Neglect either, and the people or country cannot long prosper.

I submit a—

Table of the world's production of coal, iron, and steel.

[From the annual report of the Secretary of the American Iron and Steel Association, for 1879, with additions from The Coal Trade, by F. E. Saward, 1880, &c.]

Countries.	Coal area in square miles.	1. Mineral coal.		2. Cast or pig iron.		3. Steel.
		Years.	Tons of 2,240 lbs.	Years.	Tons of 2,240 lbs.	
Great Britain	11,900	1877	134,179,968	1877	6,300,000	1,000,000
United States*	192,000	1879	59,808,398	1879	2,066,594	570,000
Germany	1,770	1877	48,337,950	1877	1,566,600	370,300
France	2,086	1876	16,773,779	1877	1,322,869	250,000
Belgium	510	1876	14,099,281	1877	418,366	75,000
Austria-Hungary ..	1,800	1875	12,852,048	1876	472,225	75,000
China .....	.....	1877	3,000,000	.....	.....	.....
Russia	30,000	1875	1,152,850	1875	420,484	15,000
Australasia .....	.....	1875	1,250,000	.....	10,000	.....
Canada .....	.....	1877	1,000,000	1876	7,500	.....
Sweden .....	.....	.....	.....	1876	346,955	25,000
Luxemburg .....	.....	.....	.....	1877	250,000	.....
Spain	3,500	1877	500,000	1872	73,000	.....
India	2,000	1875	500,000	.....	.....	.....
Turkey .....	.....	.....	150,000	.....	40,000	.....
Italy .....	.....	1874	122,500	.....	25,000	.....
Switzerland .....	.....	.....	.....	1872	7,500	.....
Mexico .....	.....	.....	.....	1876	7,500	.....
Japan	5,000	1874	390,000	1877	10,000	.....
Norway .....	.....	.....	.....	1870	3,975	.....
All other countries.	.....	.....	1,000,000	.....	10,000	20,000
Total .....	.....	.....	285,368,376	.....	13,358,628	2,400,000

* Other estimates make the coal-fields of the United States, reckoning the Permian and tertiary coals, to embrace an area of over six hundred thousand square miles. But all estimates of their extent are as yet conjectural, and a very large portion of their actual area contains no workable coal.

It will be seen that Great Britain produces about three times as much coal, iron, and steel as we do. Yet we have many times more mineral resources than Britain, and more than the rest of the world.

The American Mail and Export Journal of November, 1879, gives the following table of the area of square miles of coal in the different countries named:

Countries.	Square miles.	Per cent.
United States	192,000	73.35
Nova Scotia	12,000	6.00
Great Britain	11,900	4.60
Spain	3,000	1.10
France	1,800	.70
Prussia	1,800	.70
Austria	1,700	.70
Belgium	900	.35
Chili, Australia, India, China, &c.	28,000	11.69

This table shows that we have 73.85 per cent. of all the coal known, and we produce about 50,000,000 tons per annum; Great Britain has but 4.60 per cent. of coal, and produces 134,000,000 tons per annum.

I regret to say Great Britain and other nations not only greatly excel us in producing mining resources, but are fast taking our ocean commerce from us. In 1825 our vessels carried of our imports and exports 92.3 per cent.; in 1855, 75.6 per cent.; in 1875, 26.2 per cent.; in 1880, 17.6 per cent. At this rate of decrease the American flag will soon seldom be seen upon the ocean.

Mr. President, I hope to see and intend to aid our whole country, and especially the South, to take an advanced position in agriculture, commerce, and manufacturing; also in developing their mineral resources.

The country or man who stands still while the world moves on will be left behind, or, as the railroad men say, standing upon the side-track, while the go-ahead or express train, with live, active men and freight upon it, moves on and takes the prize.

It is believed a good, careful, and complete geological survey of Virginia and West Virginia will show more mineral resources than all Europe. I feel sure this great country of ours, especially Virginia and West Virginia, has a great future; information, enterprise, and capital are essential to development and prosperity. A country or State, like a corporation, a firm, or an individual, to prosper must be progressive. I would respect and protect with equal care State and national Government. I cannot believe with some democrats in extreme State rights, nor can I follow many republicans in centering nearly all power in the national Government. I am for letting the dead issues rest and for cultivating the living ones. I favor a fair, just, and living tariff, that will protect equally the people and manufacturing interests. I am for an effort to regain our ocean carrying trade; we formerly had 75, now 17 per cent. I am for a proper degree of economy in all expenditures of public money, and for progress and prosperity of our entire country and people. I would encourage and foster education, agriculture, manufactures, and commerce, and do whatever else will make our whole people and country intelligent, prosperous, rich, happy, and great. We should recognize this is 1881, and not 1860.

I hope the time is not very distant when the Senate will allow me to get up the joint resolution and have it disposed of. My friend from Kentucky is opposed to it, and earnestly opposed to it, as he has a right to be; but I think that he and other Senators ought not to object to its being considered.

Mr. BECK. I have only to say in reply that I shall help to take up the joint resolution on any proper occasion after these House bills are through, and I shall then object to any limitation of debate to five minutes. I regard it as a measure simply in the interest of the men who are running great mines and other organizations of that sort, and of no good to the country, interfering with all the rights of the States. Clarence King, the director of the geological survey, closes his remarks by saying:

Briefly and finally, in my belief the question of the passage or defeat of the resolution under consideration is the question whether it is or is not desirable and needful for the people of the United States to thoroughly know the nature, extent, and uses of their mineral possessions.

The corporations of the country would simply use him as an advertising medium of all their great mineral possessions at the cost of half a million dollars.

Mr. HEREFORD. Mr. President—

Mr. TELLER. I call for the regular order. I do not think it is worth while to discuss this question.

The VICE-PRESIDENT. The regular order is the report of the next House bill on the Calendar, which will be stated.

ADVERSE REPORTS.

The bill (H. R. No. 2377) for the relief of Catherine I. Gillis was announced as next in order on the Calendar.

Mr. ROLLINS. That bill is reported adversely.

Mr. TELLER. Let it go over.

The VICE-PRESIDENT. The next House bill on the Calendar will be reported.

The CHIEF CLERK. "A bill (H. R. No. 385) to amend the act entitled 'An act for the relief of Robert Erwin.'"

Mr. WITHERS. That bill is reported adversely.

The VICE-PRESIDENT. The bill will go over, and the next House bill on the Calendar will be reported.

The CHIEF CLERK. "A bill (H. R. No. 1493) defining the duties of Reporter of the Supreme Court of the United States, fixing his compensation, and providing for the publishing and distributing of said reports."

Mr. WITHERS. That bill was reported adversely.

Mr. COCKRELL. I object to its consideration.

The VICE-PRESIDENT. The bill goes over, and the next House bill on the Calendar will be reported.

The CHIEF CLERK. "A bill (H. R. No. 2262) for the relief of Juliet Leef, widow, and the heirs of Henry Leef, deceased, owner of the bark Mary Teresa, illegally seized by Alexander H. Tyler, consul of the United States at Bahia, Brazil."

Mr. COCKRELL. There is an adverse report in that case, and I object to its consideration.

Mr. HARRIS. I suggest that under the resolution the Clerk should read nothing but bills favorably reported. The resolution provides for that.

SUITS FOR PATENT INFRINGEMENTS.

Mr. WITHERS. Order of business No. 642 is the next House bill on the Calendar favorably reported.

The VICE-PRESIDENT. It will be stated.

The bill (H. R. No. 4412) to regulate practice in suits brought to recover damages for infringement of patent was announced as being the next in order upon the Calendar.

Mr. TELLER. This bill will take a long time, and if we have not any limit on the discussion I propose to enter an objection to the consideration of the bill.

Mr. WINDOM. I move, if in order, to lay aside the pending and all prior orders, that the Senate may proceed to the consideration of this bill.

Mr. HARRIS. I hope the Senator from Colorado will not object to the consideration of the bill. I suppose it cannot take very much time now to complete the consideration of the bill.

Mr. WINDOM. The bill has been discussed two morning hours, and I think will take but a few moments. All I ask is a vote on it; but I am not willing that a single objection shall now lay it aside before the sense of the Senate is tested on it, if I have a right to test it.

The VICE-PRESIDENT. The Senator from Minnesota moves that the pending order, being the order of this morning, be set aside pending its consideration, and, should that motion prevail, that the Senate shall then proceed to the consideration of the bill just reported by its title. The question is, Will the Senate agree to the motion of the Senator from Minnesota?

Mr. TELLER. If this bill can be treated as it ought to be treated, discussed in five-minute speeches as it was yesterday, I shall not object; but if under the construction given to the rule there is unlimited debate, it will take up this morning hour and to-morrow's morning hour and every other morning hour; and the bill is not of sufficient importance, in my judgment, to crowd out a great many other proper subjects of legislation.

Mr. McMILLAN. I understand the Chair to have ruled that the five-minute rule does apply to debate on the bill.

The VICE-PRESIDENT. The Chair has indicated his opinion; he did not rule that it applied.

Mr. TELLER. If Senators will confine themselves to five minutes, and we can vote on the bill pretty soon, I shall withhold my objection. I reserve the right to renew it, however.

Mr. WINDOM. I am very unwilling that this bill should crowd out other business, and I do not want to press it to that extent. If it leads to further debate I shall try to secure an arrangement with the Senate to fix some time for its consideration, but I think we can try it for a few moments and perhaps get rid of it.

The Senate, as in Committee of the Whole, resumed the consideration of the bill, the pending question being on the amendment reported by the Committee on Patents, in line 19, after the word "patent," to insert "or unless the defendant puts in issue the plaintiff's right to recover anything in the action."

The question being put, there were on a division—ayes 27, noes 19.

Mr. VOORHEES. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McDONALD. Will it be in order for me now to move at this point to amend the amendment?

The VICE-PRESIDENT. It will.

Mr. BLAIR. I desire to raise the question of order, whether the amendment is open to amendment now after the yeas and nays have been ordered?

The VICE-PRESIDENT. It is.

Mr. McDONALD. I move to strike out of the proposed amendment the words "the plaintiff's right to recover anything in the action," and insert "the validity of the patent;" so as to read "or unless the defendant puts in issue the validity of the patent."

Mr. BECK. I desire only to say that while I prefer the bill tendered by the Senator from Indiana [Mr. VOORHEES] to any proposition now pending, I believe, having only five days of the session remaining, the only chance is to pass the bill just as it came from the House, and I shall vote against every amendment and every substitute, believing the House bill to be the best we can get at this Congress.

Mr. KERNAN. A single word in answer to the Senator from Ken-

tucky. I, for one, shall vote against the bill as it came from the House. The Constitution provides that we may grant to inventors the exclusive right to the enjoyment of their inventions. We have granted patents to thousands; and now when we have given them the right we should not say that we will not let them go into court to vindicate the right except they pay the penalty of the costs of the defendant for coming in to make him pay for a violation of the right. That is the bill as it passed the House: that the plaintiff shall pay the costs on both sides unless he recovers beyond a certain sum. We say you shall secure a specific right, and if you do we say we will punish you for coming in to make the violator of your rights pay. The amendment of the committee strikes out the provision that the plaintiff must pay the costs on both sides, even when he shows that his rights have been violated and he sues for damages. The Senate amendment is fair and will discourage that litigation. It says if a man, buying of a dealer for his own use, is sued, the plaintiff shall not recover costs against the defendant unless he recovers \$20 damages. It does not say we will make him pay the defendant's costs, although he does recover and shows that the defendant has violated the right. The bill as proposed to be amended by the Committee on Patents provides that the plaintiff shall not recover costs against the defendant unless he recovers damages to the amount of \$20, or unless the defendant puts in issue the plaintiff's right to recover anything in the action. I think that is a fair distinction; but to say that we will pass the bill as it came from the House, as my friend from Kentucky thinks we should do, is to say to a man, "We will mulct you in favor of the wrong-doer if you dare to bring your suit to vindicate the right which we have granted to you, the exclusive right to use your own invention."

Mr. BECK. I do not regard the bill as it passed the House as having the effect suggested by the Senator from New York except in that class of cases where men in good faith and for their own use have bought a patented article without notice. I have been over Minnesota and Nebraska in the last five years a good deal, and I have seen those little driven wells which never ought to have been patented, (there is not a thing in it that ought to be patented at all,) where men have bought them in absolute good faith, paid their money for them, put them down in their own wells, and the manufacturer who sold them to those people living on those prairies—

Mr. DAVIS, of Illinois. I rise to a point of order.

The PRESIDING OFFICER. (Mr. INGALLS in the chair.) The Senator from Illinois will state his point of order.

Mr. DAVIS, of Illinois. I think the five-minute rule requires that debate shall be limited to one speech.

The PRESIDING OFFICER. The Senator from Kentucky had not spoken before, nor has he spoken five minutes.

Mr. DAVIS, of Illinois. But he did speak before.

Mr. BECK. I merely objected to the amendment.

Mr. DAVIS, of Illinois. The Senator objected and stated the reason for his objection.

The PRESIDING OFFICER. The present occupant of the chair was not in the chair at the time and is not aware of the fact.

Mr. HOAR. The Senator from Kentucky spoke before the Senator from Indiana offered a new amendment, and he is entitled to speak again on the amendment.

Mr. DAVIS, of Illinois. Then he spoke again, and the Senator from New York replied to him. I have no objection to his speaking in this case, but after he has made a one or two-minute speech he is replied to, and then he gets up again to speak; and that it seems to me is a violation of the rule.

The PRESIDING OFFICER. If the Senate desires the rule to be enforced that upon any bill which comes up between this and half past one each Senator may speak but once, and for but five minutes, the Chair will so order, and will see that the rule is strictly enforced. Shall that be the order of the Senate? The Chair hears no objection.

Mr. FERRY. What is that decision?

The PRESIDING OFFICER. That the rule requiring that a Senator shall speak but once and for five minutes on any question shall be enforced.

Mr. WILLIAMS. I was not aware that the rule applies to a bill and all amendments generally, or to any new amendment.

Mr. DAVIS, of West Virginia. It applies to each amendment.

The PRESIDING OFFICER. The language of the rule applies to bills.

Mr. DAVIS, of West Virginia. I wish to make an inquiry. I understand a Senator has a right to speak to each amendment five minutes, and not to the bill of itself; that is, if a Senator thinks proper to do so, he can speak five minutes upon each amendment. That has always been the ruling of the Chair, and it has always been the ruling of the Senate, in my recollection. If it were not so, then a Senator who had spoken on a bill could not express himself upon any amendment that was afterward offered.

The PRESIDING OFFICER. The language of the order is:

And bills that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once, and for five minutes only.

The Chair will hold that under the language of the rule, a Senator who has spoken once will not be allowed to speak again unless the Senate shall permit.

Mr. DAVIS, of West Virginia. On an amendment?

The PRESIDING OFFICER. On an amendment. The Senator who has spoken once on a bill, in the language of the order will be ruled not to be entitled to the floor again.

Mr. DAVIS, of West Virginia. I submit that that is a change of the standing rule of the Senate. For instance, I might speak five minutes on a bill and a substitute might be offered on which I could not address the Senate.

Mr. DAVIS, of Illinois. I rise to another point of order. Without taking an appeal from the decision of the Chair, has the Senator from West Virginia any right to speak?

The PRESIDING OFFICER. The interrogatory of the Senator from West Virginia is one that he has a right to address to the Chair upon the interpretation of the ruling. The Chair will listen to him.

Mr. DAVIS, of West Virginia. I believe it has been uniformly the rule since I have been here that under the Anthony rule a Senator could speak to an amendment at all times, and it certainly has been the rule that a Senator could move to indefinitely postpone a bill and speak on that motion. It does not cut off anybody. Of course each Senator for himself must be the judge of that. I hope it will not be understood in the Senate that if a substitute for a whole bill is offered, the Senator who has charge of the bill even, who has spoken five minutes previously, cannot express himself. I hope the Chair will at least not enforce that rule, for I think the Chair must see himself that it would be a very injurious one. I have not spoken on this bill, nor do I expect to speak upon it, but if there were fifty amendments offered a Senator could not say a word after he had spoken five minutes under the ruling of the Chair.

The PRESIDING OFFICER. The Chair will state to the Senator from West Virginia that the Senator from Illinois asked a ruling of the Chair upon the phraseology of this rule, which the Chair stated would be as has been heretofore indicated unless the Senate otherwise desired. The Chair asked whether the interpretation placed upon the rule was the desire of the Senate, and no objection was made. The Senator from West Virginia has a right to object, and the Chair will then submit the question to the Senate.

Mr. DAVIS, of West Virginia. I have no wish to object to the ruling of the Chair. The Chair knows that I have no desire to object to his ruling.

The PRESIDING OFFICER. The whole matter rests with the Senate.

Mr. DAVIS, of West Virginia. I think if Senators understand the question they will certainly want to express themselves upon amendments, and I think it has been always usual to allow that.

Mr. McDONALD. Mr. President—

The PRESIDING OFFICER. Does the Senator rise to the point of order submitted to the Senate?

Mr. McDONALD. I do not. I rise to the amendment to the bill. Is there a question of order before the Senate?

The PRESIDING OFFICER. The Chair has ruled upon the point of order. The Senator from Indiana is entitled to the floor.

Mr. McDONALD. The Senate has already accepted and adopted the amendment of the committee immediately preceding the amendment now under consideration; and that provides that in suits for the infringement of a patent against any person who has purchased an article in good faith, and for his own use, either from some vendor or manufacturer, unless the plaintiff recover \$20 or over he shall recover no costs against the defendant, unless it shall appear that the defendant at the time of such purchase had knowledge or actual notice of the existence of such patent; and then the committee propose to amend by saying "or unless the defendant puts in issue the plaintiff's right to recover anything in the action." That is, to entitle him to the benefit of this provision, he must be an innocent purchaser without notice, and if sued he must confess that plaintiff is entitled to recover damages, and that necessarily confesses that the instrument that he has used is an infringement of the plaintiff's patent. He is not allowed, under the provisions of this bill as the committee propose to amend it, to defend on the ground that he has an instrument that is no infringement, unless he does it at the peril of having full costs recovered against him.

The object of my amendment is simply to enable him, admitting the validity of the patent, to put in any other defense that would defeat the plaintiff's right of recovery, as, for instance, that the plow or whatever it is was not an infringement of the plaintiff's patent.

Mr. KERNAN. Or that the defendant has a previous valid patent for the same thing.

Mr. McDONALD. Yes, sir; my amendment would allow any defense that would not put in issue the validity of the plaintiff's patent, without subjecting the defendant to costs. That is all. In my opinion it is but right and just, and would give defendants-litigant some relief; whereas the measure as proposed by the Committee on Patents would tie their hands, and, so far from being a measure of relief, it would simply be an intimidation, a standing threat against a party sued, either to come up and confess judgment for something under \$20 or run the responsibility of full costs if the suit went against him for any sum.

Mr. PLATT. I do not want to have it considered a speech on this bill, but I want to ask this question: Suppose the defendant should put in issue the question whether he had used the article or not, and contest that?

Mr. McDONALD. He could not do it under the amendment pro-

posed by the committee, and claim the benefit of the provisions of the act in reference to costs. He must confess that the plaintiff is entitled to recover something; it must be, in effect, an offer to confess judgment for some sum under \$20; and when he puts that offer in, then, if the plaintiff does not recover more than \$20, he cannot recover costs; and that is all there is of it. There is not one particle of relief to purchasers in good faith of patented instruments under the provisions of this bill as it will be if the amendment of the committee is agreed to.

Mr. HOAR. Mr. President, the objection to the amendment of the honorable Senator from Indiana is this: A man who undertakes to use another's patent, which is his property, may go under it with a long litigation denying the validity of the assignment to the plaintiff, if the patent has been assigned to him, claiming that he has himself a right to use the article when he has no such right, putting in issue and destroying while the lawsuit lasts the entire value of property which may be worth hundreds of thousands of dollars to the patentee, and the particular damage of the use he has made is very slight, although he has tried all these questions, indirectly, as everybody knows is the operation of it, destroying the value of the patent for years until the right to the title is settled, and he is not to be put to the expense of the litigation he has made himself.

We have in the Patent Committee day after day and week after week these cases; they are coming from the North, they are coming from the West, and they are beginning to come, I am rejoiced to see, from the South. "We invented something which has been to the American people in direct saving worth hundreds of thousands of dollars; the moment the value of our invention was discovered men began to harass us by these lawsuits." The patentee who has been a great benefactor to his country, to its commerce, to its manufactures, and to its agriculture is impoverished and broken-hearted, while everybody else about him whom his patent enriches is growing rich and prosperous.

This Patent Committee appreciate the complaint which has been so eloquently stated by the honorable Senator from Indiana [Mr. VOORHEES] yesterday and by the honorable Senator from Minnesota [Mr. WINDOM] more than once. We have got a measure which we honestly believe will cut up by the roots this evil, and the committee have given it very great consideration, and I think it is their unanimous judgment; and we have gone as far, in my opinion as a lawyer—which is not, perhaps, worth much—in the opinion of the honorable chairman of the Patent Committee, [Mr. KERNAN,] which everybody will agree with me is worth much, as we can constitutionally go. And if Senators insist on the amendments which are proposed, or on adhering to the House bill, it is my deliberate judgment that the evil which they seek to cure will remain, because they have got a bill which, if it becomes nominally a law by the assent of the three bodies whose assent is necessary, never will be held to be law by the courts. Now, is it not best to try, for six or eight months at least, the operation of the measure which the committee have devised, which is free from constitutional difficulty, which is free from doubt, rather than, against the unanimous judgment of the committee which the Senate has honored by committing to them this subject, force upon the statute-book a bill which is liable at least, as these gentlemen must say, to grave constitutional objection.

The PRESIDING OFFICER. The Senator has spoken five minutes.

Mr. McDONALD. I want to make a suggestion.

The PRESIDING OFFICER. The Senator from Indiana has previously spoken on the amendment.

Mr. McDONALD. I do not propose to speak. I want to amend my amendment to meet the objection the Senator from Massachusetts has made, "or the plaintiff's title to it," so as to include the validity of the patent or the plaintiff's title to it.

The PRESIDING OFFICER. The amendment to the amendment offered by the Senator from Indiana will be read.

Mr. HOAR. Now, Mr. President—

The PRESIDING OFFICER. One moment. Let the amendment be reported by the Clerk.

The CHIEF CLERK. It is proposed to strike out in the amendment reported by the committee, in line 19, the words "the plaintiff's right to recover anything in the action" and to insert "the validity of the patent or the plaintiff's title to it."

Mr. HOAR. You do not cover the difficulty where the defendant may say "I have got an assignment of this thing from you."

Mr. McDONALD. All I ask is that the defendant may be allowed to set up any defense he has to show that he has not infringed the plaintiff's patent.

Mr. HOAR. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOAR. There was some confusion in the Senate and I am not sure whether the Chair has held that under the rule a Senator's right to speak is limited to five minutes on the entire bill, or extends to five minutes on any pending question under the bill.

The PRESIDING OFFICER. On the bill, if no subsequent question arises under the bill; but on amendments a Senator would have a right to speak five minutes, it being a question which arises on the consideration of the bill.

Mr. HOAR. I desire, then, to speak to the new amendment offered by the Senator from Indiana.

Let me repeat the constitutional proposition: Congress has a right to reward inventors and discoverers by giving them the exclusive title to their inventions or discoveries for a limited term of time. That is the only right that it has; it cannot give them anything else under this clause. The exclusive right vesting in the inventor by law, having vested in previous inventors who have got their patents already by law, you cannot constitutionally say that if the man brings a suit and recovers but \$18 as the value of the infringement of his right, he shall be held as a condition for that recovery to pay \$1,000, or \$5,000, or anything else.

It is true that in some of the States where there are several courts having jurisdiction of the same subject, you may impose on a plaintiff who goes to the Supreme Court with a little case instead of going to a magistrate the condition of compelling him to pay costs, because you have left open to him one tribunal where he can go without this onerous condition; but where you have but one constitutional tribunal to which a plaintiff can lawfully go, it is the limit of your power when you say he shall not recover costs; that is within your control always, but you cannot say to a man who has got a constitutional right worth \$18, and who sues in the only court provided by the Constitution and laws, that he shall do so only at the cost of paying \$500 to somebody else. That is my proposition. Whether I am right or wrong, is not that a grave enough doubt to justify a wise constitutional lawyer and a wise statesman in giving a trial to this remedy as we have framed it, and see whether it will not satisfy your people and destroy this evil, which I agree justifies all the indignation which you express, rather than to send this bill, as the House propose it, to its fate elsewhere?

Mr. WINDOM. I rise merely to say a word, and that is to express the hope that we may accept the amendment proposed by the Senate Committee on Patents. As I said yesterday, it does not go as far as I should like to go; but I am perfectly satisfied from the expressions I hear all about me and from the temper of the Senate that if the amendments of the committee are voted down to-day this session will close before any bill on this subject will be passed. I therefore myself, and for myself only, accept the proposition of the Senator from Massachusetts to test this bill. It will remove many of the evils, if it does not cure them all; and I say, in conclusion, that it is to the interest of those who advocate the rights of the patentee that some such bill as this shall be passed, for just so certainly as these abuses go on a few years longer as they have for the last few years, you will find action upon this subject that will injure the patentees, if there be any such power under the Constitution of the United States. These abuses must be cured, or more radical legislation than that proposed by the House bill will follow.

Mr. KIRKWOOD. Mr. President, I had at one time intended to say something in regard to this bill. I have some very well settled convictions in regard to what should be done in relation to this subject of patents; but I have refrained and intend to refrain, so that I shall not interfere at least with the transaction of other business before the Senate. If the Senate shall see fit to put upon the bill the amendment reported by its Committee on Patents, I shall still vote for the bill; but I prefer the bill as it came from the House, and I do hope the gentlemen who have a desire to have some bill passed at this session and gentlemen who desire to have some other business done besides that involved in this bill will allow the vote to be taken. I restrain myself very much when I refrain from endeavoring to argue this question in my way, and I think that if other Senators would place the same restraint upon themselves we may pass along somewhat rapidly with this and other business besides.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Indiana [Mr. McDONALD] to the amendment of the Committee on Patents.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the committee, upon which the yeas and nays have been ordered.

Mr. DAVIS, of Illinois. I really think this is a much better provision than the one that the Senator from Indiana has suggested, and I hope it will be adopted.

The yeas and nays were taken.

Mr. MORRILL, (after having voted in the affirmative.) I desire to withdraw my vote. I for the moment forgot that I was paired with the Senator from Virginia, [Mr. WITHERS.] If present, he would vote against the amendment and I should vote for it.

The result was announced—yeas 27, nays 30; as follows:

YEAS—27.

Allison,	Cameron of Pa.,	Hoar,	Rollins,
Anthony,	Davis of Illinois,	Johnston,	Saunders,
Baldwin,	Dawes,	Jones of Nevada,	Slater,
Bayard,	Eaton,	Kernan,	Teller,
Booth,	Ferry,	Logan,	Wallace,
Brown,	Hamlin,	McMillan,	Windom.
Burnside,	Hill of Colorado,	Platt,	

NAYS—30.

Bailey,	Groome,	Lamar,	Saulsbury,
Beck,	Grover,	McDonald,	Vance,
Blair,	Hampton,	Maxey,	Vest,
Butler,	Harris,	Morgan,	Voorhees,
Coke,	Hereford,	Pendleton,	Walker,
Davis of W. Va.,	Ingalls,	Plumb,	Williams.
Farley,	Jonas,	Pugh,	
Garland,	Jones of Florida,	Ransom,	

ABSENT—18.

Blaine,	Conkling,	McPherson,	Thurman,
Bruce,	Edmunds,	Morrill,	Whyte,
Call,	Hill of Georgia,	Paddock,	Withers.
Cameron of Wis.,	Kellogg,	Randolph,	
Cockrell,	Kirkwood,	Sharon,	

So the amendment was rejected.

Mr. HOAR. Mr. President, I object to the further consideration of the bill.

The PRESIDING OFFICER. The Senator from Massachusetts objects to the further consideration of this bill. Under the ruling of the Chair it goes over.

Mr. WINDOM. I should move to postpone all prior orders and proceed with this bill; but when I suggested that motion awhile ago, I distinctly said to the Senate that if it was found to be impossible to pass the bill to-day, I would not press it to the exclusion of other business. I am satisfied, now that this amendment is voted down, that this bill is to meet with such opposition that it will be impossible to pass it to-day or at any other time during this session; and therefore, while I shall vote for the bill on all occasions, I shall not myself thrust it in the face of the Senate to the exclusion of other business.

The PRESIDING OFFICER. The next House bill on the Calendar will be reported.

CONSTRUCTION FUND FOR THE NAVY.

The bill (H. R. No. 3983) to provide a construction fund for the Navy, and for other purposes, was announced as the next in order.

Mr. DAVIS, of Illinois. This bill will lead undoubtedly to a great deal of discussion, and the chairman of the Naval Committee is not in his seat. I do not want to object to anything, but I think we had better pass the bill over until some other time.

Mr. BURNSIDE. I hope the Senator from Illinois will allow this bill to be acted on.

Mr. DAVIS, of Illinois. I do not object to it.

Mr. BURNSIDE. There are other members of the Naval Committee here who can take charge of the bill; and any one who has opposition can express it in five minutes. There is no reason why it should not be acted upon at any rate.

Mr. DAVIS, of Illinois. I do not object.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. ALLISON. I want to hear it read first.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk proceeded to read the bill, but before concluding,

Mr. TELLER. I think we have heard enough. I will enter an objection.

The PRESIDING OFFICER. The next House bill on the Calendar will be read.

Mr. ANTHONY. I suggest to the Senator from Colorado to allow this bill to be laid over without prejudice.

Mr. TELLER. I will not object to that.

The PRESIDING OFFICER. Shall the bill retain its place on the Calendar? The Chair hears no objection. The next House bill favorably reported will be read.

HIRAM JOHNSON AND OTHERS.

The Chief Clerk read the title of the bill (H. R. No. 6033) to pay Hiram Johnson and other persons herein named the several sums of money herein specified, being the surplus of a military assessment paid by them and accounted for to the United States in excess of the amount required for the indemnity for which it was levied and collected.

Mr. PLUMB. I object to that, Mr. President.

Mr. COCKRELL. I hope the objection will not be made until the Senator from Tennessee [Mr. HARRIS] is in his seat. He will be here in a moment.

Mr. PLUMB. I have no objection to its being laid over without prejudice.

Mr. COCKRELL. The Senator from Tennessee has charge of the bill. He is engaged in a conference, and will be here in a moment.

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

Mr. TELLER and others. Yes.

The PRESIDING OFFICER. It is objected to and will go over, retaining its place on the Calendar.

Mr. COCKRELL. I requested that that might be detained just one moment. The Senator from Tennessee is on a conference committee.

The PRESIDING OFFICER. It was passed over without prejudice.

Mr. DAVIS, of West Virginia. It can be taken up when he comes in.

Mr. COCKRELL. But it loses its place if it is passed over, and the Senator from Tennessee has no chance.

The PRESIDING OFFICER. The Chair has no option except to enforce the rule. The bill was objected to, and went over under the rule.

Mr. PLUMB. I did not know that the Senator from Missouri expected the Senate to sit here waiting for some Senator to come into his seat and postpone all business until he came back. I am willing

this bill shall remain on the Calendar to be called up when he comes in.

Mr. DAVIS, of West Virginia. I ask consent that when the Senator from Tennessee comes in this bill may be taken up.

Mr. PLUMB. Reserving the right to object.

Mr. BAILEY. My colleague does not ask the Senate to wait for him. If the Senate will take up the bill the report made by the committee can be read and my colleague will be here in his seat by the time that is through and ready to attend to business. I trust the objection will be withdrawn and the bill be considered and the report read.

Mr. TELLER. I suggest that it is not in order to discuss this. Let us go on.

The PRESIDING OFFICER. The Chair has ruled that under the objection made the bill goes over, retaining its place on the Calendar.

Mr. HARRIS. I hope the Senator from Kansas will not interpose an objection to the consideration of the bill. It has been on the Calendar since some time last summer and I think we shall have no difficulty in satisfying the Senate that it is meritorious. Whether it is so or not I hope the Senator will not cut us off from an opportunity of invoking the judgment of the Senate as to the question.

Mr. PLUMB. I withdraw the objection for the present, reserving the right to interpose it at another stage. I am satisfied that the bill should not pass.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk read the bill.

Mr. HARRIS. Now if the Secretary will read the report of the committee it will develop the material facts respecting the case.

The Chief Clerk proceeded to read the report, submitted by Mr. HAMPTON from the Committee on Military Affairs, June 15, 1880, but before concluding was interrupted by

Mr. MORRILL. I think this is a bill in which my colleague [Mr. EDMUNDS] has taken a considerable interest, and therefore in his behalf I will make an objection.

The PRESIDING OFFICER. The Senator from Vermont objects to the further consideration of the bill.

Mr. HARRIS. I beg to say to the Senator from Vermont that upon a former occasion when this bill was for a short time under discussion, I do not think his colleague took any part in the discussion of it or made a single suggestion. If he takes any special interest in it, I certainly have no evidence of that fact, and I am very anxious that the Senate should consider the bill.

Mr. MORRILL. I believe that this was a bill that was under discussion at the close of the last session and I am informed that my colleague does take an interest in the bill.

The PRESIDING OFFICER. The Senator insists on the objection.

Mr. MORRILL. I shall be compelled to do it.

The PRESIDING OFFICER. The bill goes over, and the next House bill favorably reported on the Calendar will be laid before the Senate.

Mr. HARRIS. Will the Senator consent to let this go over without prejudice, so that if his colleague shall appear I may call it up?

Mr. MORRILL. I prefer to leave it so that my colleague can act his pleasure about it when he is here. I expect he will be here on Monday.

Mr. HOAR. I suggest to the Senator from Vermont that if the bill goes over in consequence of the absence of a Senator, which is a matter of courtesy and not of strict right, it is no more than fair that what the Senator from Tennessee suggests should be done, that it go over without prejudice. One objection will send it over then just as much as it does now.

Mr. MORRILL. I accept the suggestion proposed by the Senator from Tennessee that it may go over without prejudice.

The PRESIDING OFFICER. The bill will retain its place on the Calendar without prejudice.

EIGHT-HOUR LAW.

The joint resolution (H. R. No. 239) to provide for the enforcement of the eight-hour law was announced to be the next in order on the Calendar.

Mr. DAVIS, of West Virginia. Does that come from a committee?

Mr. MORRILL. It is adversely reported and therefore it should not be considered.

Mr. DAVIS, of West Virginia. If adversely reported it does not come up under the rule.

Mr. VOORHEES. It has not been adversely reported.

Mr. BUTLER. I object to its present consideration.

The PRESIDING OFFICER. The Chair would state that the resolution has not been adversely reported, the fact being that it has not been before any committee and it lies on the table for a second reading.

Mr. DAVIS, of West Virginia. Then it does not come under the rule.

Mr. BAILEY. The bill was indefinitely postponed, I think.

Mr. JONES, of Florida. Is not this a House bill?

The PRESIDING OFFICER. It is a House joint resolution, considered by a vote of the Senate as equivalent to a House bill. The Senator from South Carolina [Mr. BUTLER] objects to the present consideration of this joint resolution, and it goes over under the rule.

ABSENTEE SHAWNEE LANDS.

The bill (H. R. No. 1197) for the relief of settlers upon the absentee Shawnee lands in Kansas, and for other purposes, was announced as being the next House bill upon the Calendar in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. Is there a report with that bill?

The PRESIDING OFFICER. There is a House report setting forth the facts in the case.

Mr. COCKRELL. Let it be read.

Mr. INGALLS. I can state to the Senator from Missouri the condition of this bill, so as I think to obviate the necessity of reading the report.

Mr. COCKRELL. That will be more satisfactory.

Mr. INGALLS. It is a measure to provide for carrying out the provisions of previous treaties and existing laws and joint resolutions for the disposition of the lands of the absentee Shawnee Indians. Under the provisions of the joint resolution of April, 1869, there were some three or four tracts, not exceeding in the aggregate four hundred acres in all, that by some casualty escaped; and this bill is merely to provide that the provisions of those previous laws shall apply to these few tracts. The bill has been carefully examined by the committees of both Houses. The report of the House committee contains communications from the Commissioner of the General Land Office and the Secretary of the Interior approving the provisions of the bill.

The PRESIDING OFFICER, (Mr. GARLAND in the chair.) The bill is before the Senate as in Committee of the Whole, and subject to amendment.

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

HEIRS OF CORNELIUS BOYLE.

The bill (H. R. No. 4646) for the relief of the heirs of Cornelius Boyle was announced as next in order on the Calendar; and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. McMILLAN. Let the report accompanying that bill be read.

The PRESIDING OFFICER. The report will be read.

The Chief Clerk read the following report, submitted by Mr. HARRIS December 20, 1880:

The Committee on the District of Columbia, to which was referred the bill (H. R. No. 4646) for the relief of the heirs of Cornelius Boyle, has considered the same, and submits the following report:

In 1863 Cornelius Boyle was the owner in fee of lot No. 10, in square No. 40, in the city of Washington, District of Columbia. In that year said lot was labeled and condemned under the provisions of the act of July 17, 1862. And under the orders of the United States district court for the District of Columbia, the life estate of the said Cornelius Boyle was, by the marshal of the United States for the District of Columbia, sold and conveyed to one Shepherd, who held the same during the life of said Boyle. That said Boyle died in March, 1878, and soon thereafter the possession of said lot was restored to the heirs of the said Boyle, but encumbered by the accumulation of taxes, general and special, which had accrued between the years 1863 and 1878, while said Shepherd held the property under the deed of the marshal, amounting to \$3,432.33, which is more than the present market value of the lot.

If the heirs are compelled to pay this accumulation of taxes, it amounts to practical confiscation of the remainder as well as the life estate.

The committee is of opinion that it was the duty of the District government to have compelled the tenant for life to have paid the taxes as they accrued; and having failed to do so, it is unjust to enforce the lien against these heirs, some of whom are minors, and all of whom were, by the sale of the life estate, deprived of the power to make the property yield such income as would have paid the taxes as they accrued.

Therefore, the committee recommends that the taxes be remitted for the time said property was held and enjoyed by the vendee of the Government, and report the bill back with the recommendation that it pass.

Mr. McMILLAN. This is another instance of an application for the remission of taxes upon real estate in this District because the property happened to be confiscated during the war, and it has now gone into the possession of those entitled to it, the taxes in the mean time remaining unpaid.

There is no reason whatever for the remission of these taxes except the fact that they are unpaid, and that the authorities of the District have not enforced their collection heretofore. Precisely the same facts were presented in the case yesterday, except that this case is not quite so strong in some of its features as perhaps that one was. If we are to remit taxes merely because the authorities have not enforced their collection, we may set about supporting the government of this District ourselves. The tenant of property is not responsible for the taxes so far as the Government is concerned in this first instance. The taxes are levied upon the real estate itself, and all proceedings for their collection are proceedings against the land itself, and no government ever looks to the tenant or to the occupant of the land for the payment of taxes. The revenue is raised by taxation upon the real estate of the District.

Mr. JONES, of Florida. How is it as to personal property?

Mr. McMILLAN. Personal property in some respects may be different; this is real estate, and that question does not arise here. The personal property, of course, is subject to taxation also, and the personal property can be sold for the taxes as real estate can be. But this is real estate; the property is here in the District; the taxes have been regularly levied and assessed, and there is no complaint whatever in regard to their regularity, as I understand. The only claim made for the remission of the taxes is the fact that they have remained uncollected heretofore. If you take any real estate and add the aggregate of taxes for many years, of course the amount will be large. That is no reason why the taxes should not be paid.

I do not feel at liberty to interpose an objection to the consideration of this bill, because it comes from a committee of which I am a member, and in the committee, of course, my action was the same as it is now in the Senate.

Mr. HARRIS. That is quite true; the Senator from Minnesota voted against the report of the committee in committee, if it is proper for me to say so. The Senator is quite right in his statement that this is precisely the same question that was presented to the Senate yesterday when the measure was objected to and argued against by the Senator from Minnesota on the bill for the relief of the heirs of Edward B. Clark, a case where taxes were assessed as against property that had been sold under the confiscation act, where the authorities remained silent and failed to make the confiscation tenant pay the taxes year by year for a dozen or so years; and when the confiscation title ceased, the life estate terminated, the accumulation of taxes amounts to a sum equal to if not greater than the actual value of the property. The only question is whether the property shall be confiscated in the hands of the heirs as it was in the hands of the ancestor. The Senate yesterday decided by a vote of two or three to one that they would not so confiscate it; and as the Senate have pronounced that judgment so recently, I will not take up the time of the Senate in further discussion of the bill, but ask for a vote upon its passage.

Mr. McMILLAN. I shall ask for the yeas and nays on the passage of the bill.

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

The PRESIDING OFFICER. On the passage of the bill the Senator from Minnesota calls for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 31, nays 17; as follows:

YEAS—31.			
Bailey,	Davis of W. Va.,	Hereford,	Randolph,
Bayard,	Eaton,	Jonas,	Sanlebury,
Beck,	Farley,	Jones of Florida,	Slater,
Booth,	Garland,	Kernan,	Vest,
Brown,	Groome,	Lamar,	Voorhees,
Call,	Grover,	Maxey,	Walker,
Cockrell,	Hampton,	Morgan,	Williams.
Coke,	Harris,	Pugh,	
NAYS—17.			
Anthony,	Ferry,	McMillan,	Saunders,
Baldwin,	Hill of Colorado,	Morrill,	Teller.
Blair,	Kellogg,	Paddock,	
Burnside,	Kirkwood,	Platt,	
Dawes,	Logan,	Rollins,	
ABSENT—27.			
Allison,	Davis of Illinois,	Jones of Nevada,	Thurman,
Blaine,	Edmonds,	McDonald,	Vance,
Bruce,	Hamlin,	McPherson,	Wallace,
Butler,	Hill of Georgia,	Pendleton,	Whyte,
Cameron of Pa.,	Hoar,	Plumb,	Windom,
Cameron of Wis.,	Ingalls,	Ransom,	Withers.
Conkling,	Johnston,	Sharon,	

So the bill was passed.

CONVERSION OF BULLION INTO COIN.

The next House bill on the Calendar was the bill (H. R. No. 6545) to amend section 3524 of the Revised Statutes, so as to authorize a charge for melting or refining bullion when at or above standard; which was considered as in Committee of the Whole.

The bill was reported to the Senate, ordered to a third reading, read the third time, and passed.

DISTRICT MUNICIPAL CODE.

The next House bill on the Calendar was the bill (H. R. No. 5541) to establish a municipal code for the District of Columbia.

Mr. HARRIS. That bill is one of three hundred and thirty-five pages. Two weeks ago I was exceedingly anxious to obtain consideration for it. It is now too late for the Senate to take action upon the bill, and it might as well go over. It is impossible to consider the bill at this stage of the session.

The PRESIDING OFFICER. The bill will be passed over.

J. M. MICOU.

The bill (H. R. No. 4002) for the relief of the estate of J. M. Micou, deceased, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay \$685.67, without interest, to the estate of J. M. Micou, deceased, for rent of storehouse in Montgomery, Alabama, from August 1, 1865, to April 2, 1866, used for storing quartermasters' stores, under contract with him, at a monthly rental of \$85 per month.

The bill was reported to the Senate, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS.

The PRESIDING OFFICER. The hour of half past one has arrived. The Chair will lay before the Senate—

Mr. RANSOM. I move that all pending and prior orders be postponed until to-morrow, and that the river and harbor bill be taken up. I have been informed by the Senator from Connecticut [Mr. EATON] that the Senator from Rhode Island [Mr. BURNSIDE] had already given notice that he desired at this moment to occupy a very short time in some remarks that he wishes to submit, and I will give way for those remarks.

The PRESIDING OFFICER. Before the Chair submits that question to the Senate he will lay several bills and joint resolutions from the House of Representatives before the Senate for reference.

HOUSE BILLS REFERRED.

The following bills of the House of Representatives were severally read twice by their titles, and referred to the Committee on Pensions: A bill (H. R. No. 1560) granting a pension to James B. White; and A bill (H. R. No. 7111) restoring the name of Andrew J. Pennel to the pension-roll.

The following bill and joint resolutions from the House of Representatives were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. No. 6860) for the relief of William H. Davis;

A joint resolution (H. R. No. 413) authorizing the Secretary of War to turn over to Governor Roberts, of Texas, such tents, poles, and pins as he may require for the use of the volunteers of the State for their encampment for the year 1881; and

A joint resolution (H. R. No. 414) relating to loaning tents for soldiers' reunions in Indiana and Iowa.

The following joint resolutions from the House of Representatives were severally read twice by their titles, and referred to the Committee on Printing:

A joint resolution (H. R. No. 402) to provide for the publication of the memorial addresses of Evarts W. Farr; and

A joint resolution (H. R. No. 405) to print the report of the tenth census of the United States.

BARGE W. J. SPICER.

The joint resolution (H. R. No. 401) in relation to the barge W. J. Spicer was read the first time by its title.

Mr. FERRY. I ask for the present consideration of the joint resolution. The Committee on Commerce have considered a joint resolution in its precise form, and it was reported unanimously by that committee.

The PRESIDING OFFICER. The joint resolution will be read at length for information.

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

Resolved, etc. That the barge W. J. Spicer, built in Canada but bought by an American citizen and brought into the United States, on payment of duties on the materials entering into her construction, be admitted to the privileges extended to barges of American build and ownership by "An act relating to vessels not propelled by sail or internal motive power of their own, and for other purposes," approved June 30, 1879.

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

The joint resolution was reported to the Senate, ordered to a third reading, read the third time, and passed.

Mr. FERRY. I ask that Senate joint resolution No. 159, in relation to the barge W. J. Spicer, be indefinitely postponed, so as to relieve the Calendar.

The PRESIDING OFFICER. Such will be the order, if there be no objection.

OBSEQUIES OF THE LATE SENATOR CARPENTER.

The VICE-PRESIDENT appointed as the committee on the part of the Senate under the resolution of the 24th instant, for superintending the funeral of the late Senator MATTHEW H. CARPENTER, Mr. CAMERON, of Wisconsin, Mr. CONKLING, Mr. LOGAN, Mr. PENDLETON, and Mr. COCKRELL.

RIVER AND HARBOR BILL.

Mr. WALLACE. I desire to appeal to the Senator from Rhode Island to yield the floor to me temporarily, that I may have passed a Senate bill which affects important interests in my State. As I am about to leave the Senate, I trust the Senate will do me the courtesy to take up and pass the bill.

Mr. BURNSIDE. In point of fact the Senator from North Carolina [Mr. RANSOM] has the floor for the consideration of the river and harbor bill.

Mr. RANSOM. I have yielded under the circumstances to the Senator from Rhode Island to make some remarks which he has prepared. I have gone very far in doing that, and I hope no other Senator will ask for any indulgence, as I shall be obliged to refuse it. I ask now that the river and harbor bill be taken up so as to be pending before the Senate, and then I will give the floor for ten minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. (Mr. GARLAND.) Is there objection to the river and harbor bill being brought before the Senate for present consideration? The Chair hears none, and the bill is before the Senate.

Mr. RANSOM. I ask that the bill be laid aside temporarily informally, in order that the Senator from Rhode Island may address the Senate.

The PRESIDING OFFICER. The Chair hears no objection to the course suggested by the Senator from North Carolina, and the Senator from Rhode Island is entitled to the floor.

ALLEGED ELECTION FRAUDS.

Mr. HOAR. I ask leave to dispose of a matter which was brought up yesterday which will take but one moment. I think it is a privileged motion. Yesterday I moved to reconsider the vote accepting and ordering to be printed a report made by the honorable Senator

from Pennsylvania, [Mr. WALLACE.] It is now agreed that the first thirty-three pages of that portion of the document entitled "Part 3," shall be stricken from the document as having been reported inadvertently, and that my motion to reconsider shall be withdrawn.

The PRESIDING OFFICER. Such will be the order if there be no objection.

Mr. WALLACE. The order is that those pages be not printed with the document or circulated with the document?

Mr. HOAR. That is it.

The PRESIDING OFFICER. The motion to reconsider is withdrawn?

Mr. HOAR. The motion to reconsider is withdrawn.

The PRESIDING OFFICER. Such is the order.

THE BRIG GENERAL ARMSTRONG.

Mr. PENDLETON. The unfinished business of yesterday is Senate bill No. 1441. I desire that that bill shall be laid before the Senate in order that it may retain its place, and then I will give way.

The PRESIDING OFFICER. The Secretary will read the bill by its title, for the purpose indicated by the Senator from Ohio.

The CHIEF CLERK. "A bill (S. No. 1441) for the relief of the captain, owners, officers, and crew of the late United States private-armed brig General Armstrong, their heirs, executors, administrators, or assigns."

The PRESIDING OFFICER. The bill is before the Senate, and will be laid aside for the purpose of considering the river and harbor bill.

Mr. PENDLETON. Without losing its place.

The PRESIDING OFFICER. Without losing its place.

ISTHMUS SHIP-CANALS.

Mr. EATON. Mr. President—

The PRESIDING OFFICER. The Senator from Rhode Island [Mr. BURNSIDE] has the floor.

Mr. EATON. I understand he has, and it is for the further pleasure of the Senator from Rhode Island that I now move to temporarily lay aside the river and harbor bill.

Mr. RANSOM. If my friend will pardon me, I had already agreed that the river and harbor bill should be temporarily laid aside so that the Senator from Rhode Island might address the Senate.

The PRESIDING OFFICER. So the Chair understood the Senator from North Carolina.

Mr. EATON. I now move that the resolution which I had the honor of reporting from the Committee on Foreign Relations be taken up in order that the Senator from Rhode Island may address the Senate.

The PRESIDING OFFICER. If there is no objection, such will be the order. The resolution will be reported.

The Chief Clerk read the following resolution reported by Mr. EATON from the Committee on Foreign Relations February 16, 1881:

Resolved by the Senate, (the House of Representatives concurring,) That the interests of the people of the United States of America and the welfare and security of their Government are so involved in the subject of the construction of ship-canals and other ways for the transportation of sea-going vessels across the isthmus connecting North and South America that the Government of the United States, with the frankness which is due to all other peoples and governments, hereby asserts that it will insist that its consent is a necessary condition precedent to the execution of any such project; and also as to the rules and regulations under which other nations shall participate in the use of such canals or other ways, either in peace or in war.

Mr. BURNSIDE. Mr. President, I heartily congratulate the Committee on Foreign Relations, and especially its honored chairman, [Mr. EATON,] upon reporting the resolution which has just been read at the desk. It is both terse and comprehensive in its declarations, and, in my opinion, fully embodies the sentiment of the American people as to the non-interference of foreign powers with the affairs of our continent. I am very glad that the committee has reported this resolution, instead of the one that I had the honor to introduce on the 25th day of June, 1879, as it is much broader in its scope and spirit, and is much more satisfactory to me.

Some of our most eminent citizens claim that the so-called Monroe doctrine has answered its purpose; and that the construction of a ship-canal across the Isthmus by any foreign power, or any corporation organized under the authority of any foreign power, has no relation or connection with this doctrine.

The ablest papers that I have yet seen expressing this view are the one read by one of the most distinguished citizens of the State which I have the honor to in part represent, Professor Gammell, before the Rhode Island Historical Society, and the one prepared by the late Secretary of the Navy, Hon. R. W. Thompson.

No time can be allotted to me at this late day of the session to go into a long argument in answer to these most able papers, but I will say that the principal error which their authors and others who hold the same views have fallen into is this: they fail to see that President Monroe went just as far as it was necessary to meet the exigency which then presented itself, and that the same principle which governed him in his celebrated declaration should govern us in meeting the present condition of affairs by declaring that no ship-canal or ship-railway shall be established upon the Isthmus without our approval.

The principle governing both declarations is a living principle, which lies at the very foundation of public safety. Sir, the safety of the Republic should be the controlling idea with all public men in the exercise of their official duties. President Monroe was actuated

in the enunciation which he made by a desire to promote the welfare and safety of the Republic; and we should feel that we are carrying out, or rather continuing his doctrine by meeting the present emergency in precisely the same spirit. It is an easy matter for us to say at this period of great national prosperity that we do not care to impede the progress of commerce and trade by standing in the way of a great improvement like the construction of the Isthmus canal, no matter by whom the work is to be prosecuted; and it is also easy for us to make ourselves believe that no complications can arise in the present generation from its construction; but when we deliberately cast our thoughts into the future, and contemplate the great trouble which may come upon the Republic from the construction of such a thoroughfare should it be under the control of any other power than our own, we should hesitate to leave to our posterity a question fraught with so much danger as this would be. It is our duty to meet the emergency now, and to say to the civilized world that under no circumstances will we allow anything to be done on this continent which in the slightest degree jeopardizes our safety or questions the fact that there is here no "Balance of Power." We should say, in language unmistakable in its meaning, that we are the rulers on this continent; that our wishes are to be consulted, and that we are absolutely and distinctly in the majority; that we will not allow any retrograde steps on the part of any government existing on this continent; that we will encourage every advance toward republican form of government, and will at all times seek to make government on this continent homogeneous.

People who claim that the enunciation of this principle means war with foreign powers are, in my opinion, greatly mistaken. It means peace with foreign powers. Should a faltering policy at this time be adopted to meet the present demands of commerce and trade, it will entail upon our posterity complications and wars which will cost the Republic tenfold or more the price of building a canal across the Isthmus on any one of the proposed routes. Let Congress pass this resolution, and peace upon this question will be secured during our generation and for all time.

I am perfectly aware of the existence of the Clayton-Bulwer treaty, but do not think it necessary to discuss its provisions now. My remarks relate to the public safety, which we are bound as a first duty to protect.

Mr. President, let us do our duty at this time and declare to the world that under no circumstances will we allow a thoroughfare to be established across the Isthmus without our consent. I have had no reason to change my views in the slightest degree upon this subject since I had the honor of addressing this body more at large on the 2d of December, 1879, although there has been considerable discussion throughout the country *pro* and *con*.

The Senator from Connecticut during the six years that he has graced this Senate has rendered most honest, faithful, efficient, and distinguished services not only to this body, but to the country, but none of these services, in my opinion, will shine with more brilliancy in our history than this last great service which he has rendered in reporting this resolution. He will be long held in kind remembrance by all patriotic people.

It is time, Mr. President, that we should begin to look to our foreign relations, and I am glad to congratulate the present Administration upon the high and manly stand which it has taken upon matters of an international character which have come before it. When Lord Salisbury curtly refused to consider our claim for reparation for the Fortune Bay outrage, the Executive sent to the two Houses of Congress a message declaring that the honor and interest of the country should be vindicated by the restoration of the duties on fish from the Dominion until the wrong is righted. Congress in my judgment very unwisely adjourned without taking any action upon that recommendation.

The executive department has taken the strongest possible ground with reference to this Isthmus canal question, and yet Congress made no move in that direction until the introduction of this resolution and the resolution of the House, of which I will not speak, because I have no right to refer to the action of that body.

As to the Samoan Islands, all Europe is striving to gain a foothold in the south seas, maintaining costly consulates and fleets, and yet we have refused to give our consul at Apia more than a thousand dollars a year. Japan offered to give us a building lot for our legation, and the Executive recommended its acceptance and also a small appropriation for a fire-proof building to save our records from the destructive conflagrations so frequent there. We failed to respond to this recommendation.

The diplomatic agents of Europe are busy in all the republics of Central America. We who are more interested than any other nation send one man to represent us at Guatemala, Costa Rica, Honduras, Salvador, and Nicaragua. Any person at all conversant with the lines of communication and travel in those countries will readily see that he cannot visit those capitals more than once a year, if as often as that, and neither he nor our representative in Colombia—the most important place in my estimation in our diplomatic service—is allowed to employ a secretary. I need not comment upon these facts. They speak for themselves, and show to our people that their representatives should proceed to the enunciation of the principles which ought to govern our foreign relations.

Mr. President, I hope this resolution will pass the Senate.

The PRESIDING OFFICER. The resolution will be laid aside, and the consideration of the river and harbor bill resumed.

Mr. EATON. As my friend from North Carolina is not here at this moment, unless some Senator desires to discuss the principles involved in the resolution I shall be willing to put it to a vote. The resolution is an argument in itself, clean cut, asserting the determination of the United States with regard to the questions involved, and therefore I should be glad to see a vote taken by yeas and nays on the resolution without further discussion, and let it go to the world.

Mr. HOAR. I hope the Senator from Connecticut—

Mr. RANSOM. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield?

Mr. RANSOM. I do not like to interrupt the Senator from Massachusetts, but this was the limit of my courtesy.

Mr. HOAR. I shall take but about two minutes.

Mr. EATON. I do not propose to discuss it.

Mr. HOAR. I was about to say to the honorable Senator from Connecticut, in furtherance of what I understand to be the desire of the Senator from North Carolina, that the Senator from Minnesota, [Mr. WINDOM,] who is not now in his seat, desires, I believe, to address the Senate in support of the doctrine enunciated by this resolution. He certainly announced to the Senate that he desired to take the earliest possible opportunity to make some remarks upon the subject. It would be, I am sure, not the desire of the Senator from Connecticut to deprive the Senator from Minnesota of that right.

Mr. EATON. Not at all.

Mr. HOAR. I desire to say that while the doctrine of the resolution and the doctrine of my friend from Rhode Island, I trust, will meet the unanimous approbation of Congress, yet it is possible that in one particular the expression of the resolution may require modification or consideration. I hope the Senator will not press it to a vote this morning.

Mr. EATON. Certainly not.

The PRESIDING OFFICER. The resolution will go over.

AMENDMENTS TO BILLS.

Mr. ALLISON, Mr. CALL, Mr. CAMERON of Pennsylvania, Mr. COCKRELL, Mr. JOHNSTON, Mr. JONES of Florida, Mr. MAXEY, Mr. MORGAN, Mr. PENDLETON, Mr. PLUMB, Mr. RANSOM, Mr. SLATER, Mr. VANCE, Mr. VOORHEES, and Mr. WALKER submitted amendments intended to be proposed by them respectively to the bill (H. R. No. 7203) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1882, and for other purposes; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. PLUMB submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MORGAN, from the Committee on Rules, reported an amendment intended to be proposed to the bill (H. R. No. 7203) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1882, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MAXEY, from the Committee on Military Affairs, reported an amendment intended to be proposed to the bill (H. R. No. 7203) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1882, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. INGALLS, from the committee on the District of Columbia, reported an amendment intended to be proposed to the bill (H. R. No. 7203) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1882, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES.

Mr. CAMERON, of Pennsylvania, from the Committee on Military Affairs, to whom was referred the bill (S. No. 2220) to authorize the Secretary of War to purchase certain papers relating to the late war, reported it without amendment.

RIVER AND HARBOR BILL.

Mr. RANSOM. I now move that the Senate proceed with the consideration of the river and harbor bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. No. 7104) making appropriations for the construction, completion, repair, and preservation of certain works on rivers and harbors, and for other purposes.

Mr. RANSOM. I hope the bill will be read, not formally, but for action upon the amendments of the Committee on Commerce as they are reached in the reading.

The PRESIDING OFFICER. The Secretary will read the bill, and the amendments of the Committee on Commerce will be acted upon as they are reached in order in the reading.

The Secretary proceeded to read the bill. The first amendment reported by the Committee on Commerce was to strike out the following clause, from line 10 to line 20:

The Secretary of War shall cause to be let by contract all public works authorized under this act except for surveys and estimates. Such contracts shall be made,

after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders, accompanied by such securities as the Secretary of War shall require, conditioned for the faithful prosecution of the work according to such contract; and for the proper payment of all liabilities incurred in the prosecution thereof for labor and material: *Provided*, That in the opinion of the Secretary of War the interests of the Government shall not be actually injured thereby.

The amendment was agreed to.

The next amendment was, in line 62, after "United States," to strike out "to the bed of the estuary and training walls of this work is secured, free of expense to the Government, in a manner satisfactory to the Secretary of War" and in lieu thereof to insert "to make such improvements as are herein provided shall be secured free of expense to the United States, in a manner satisfactory to the Secretary of War;" so as to make the clause read:

Improving Oakland Harbor, California, \$60,000; and the sums of money heretofore appropriated for this improvement and unexpended are hereby reappropriated; but the sums so appropriated and reappropriated shall not be available until the right of the United States to make such improvements as are herein provided shall be secured free of expense to the United States, in a manner satisfactory to the Secretary of War.

The amendment was agreed to.

The next amendment was, in line 85, to increase the appropriation "for improving harbor at Little Sodus Bay, New York," from \$7,500 to \$20,000.

The amendment was agreed to.

The next amendment was, after line 88, to insert:

Deepening and widening the channel in Gowanus Bay and the Harbor of New York, \$40,000.

The amendment was agreed to.

The next amendment was, after line 92, to insert:

Improving harbor of New Rochelle, New York, \$20,000.

The amendment was agreed to.

The next amendment was, in line 130, after the words "Greenbrier River," to strike out "twenty" and insert "twenty-four;" in line 131, after the word "sum," to strike out "twelve" and insert "fifteen;" and in line 133, after the word "and," to strike out "eight" and insert "nine;" so as to make the clause read:

Improving New River from lead mines in Wythe County, Virginia, to mouth of Greenbrier River, \$24,000; of which sum \$15,000 shall be expended in the continuation of the work from the mouth of Greenbrier up, and \$9,000 in the continuation of the work from the lead mines in Wythe County down.

The amendment was agreed to.

The next amendment was, after the word "Georgia," in line 140, to strike out "twenty-five" and insert "sixty-five;" in line 142, before the word "thousand," to strike out "one" and insert "five;" and in line 143, after the word "land," to insert "taken for widening the channel opposite Savannah;" so as to make the clause read:

Improving Savannah Harbor and River, Georgia, \$65,000; of which sum \$5,000 may be applied to payment of damages for land taken for widening the channel opposite Savannah.

The amendment was agreed to.

The next amendment was, in line 150, to increase the appropriation "for improving harbor at Mobile, Alabama," from \$90,000 to \$100,000.

Mr. MORGAN. At the proper time I propose to amend this item so as to add \$25,000 to the \$100,000 reported by the committee.

Mr. RANSOM. The question is upon the adoption of the amendment of the committee now.

Mr. MORGAN. Of course I am for concurring in the amendment, but I simply say that I desire to offer an additional amendment. Agreeing to this amendment will not cut me off from the privilege of offering it hereafter?

The PRESIDING OFFICER. The Senator will have an opportunity afterward to offer his amendment.

Mr. BROWN. Is it necessary for us to give notice of amendments to which we desire to move amendments?

The PRESIDING OFFICER. It is not necessary. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in line 153, to increase the appropriation "for improving the Mississippi River at and near Vicksburgh, and protection of harbor of Vicksburgh, Mississippi," from \$50,000 to \$75,000.

The amendment was agreed to.

The next amendment was, in line 182, after the word "harbor," to strike out "ten" and insert "twenty-five;" so as to make the clause read:

Improving harbor at Michigan City, Indiana: Continuing operations at outside harbor, \$20,000; for continuing improvement on the inner harbor, \$25,000.

The amendment was agreed to.

Mr. LOGAN. Will the Clerk tell me on what page of the bill he is reading?

The PRESIDING OFFICER. Page 9, line 186.

Mr. RANSOM. If the Senator from Illinois will pardon me, I should like to suggest to him that there is no amendment of the committee there. I should be glad if the amendments of the committee could be first acted upon, and then he can move any amendment he desires.

Mr. LOGAN. I have no objection to that course. I desire to offer an amendment to line 184, the item of appropriation for improving the harbor at Calumet, Illinois.

The PRESIDING OFFICER. The Senator from Illinois will have an opportunity.

Mr. RANSOM. I will remind the Senator from Illinois of it myself.

Mr. LOGAN. Will that apply to all the amendments that may be offered by individual Senators?

The PRESIDING OFFICER. That is the rule adopted by the Senate.

Mr. LOGAN. Very well; I will not offer the amendment until after the amendments of the committee shall have been acted on.

The Secretary resumed and continued the reading of the bill. The next amendment of the Committee on Commerce was, in line 213, to increase the appropriation for "improving harbor and river at Au Sable, Michigan," from \$4,000 to \$6,000.

The amendment was agreed to.

The next amendment was, in line 238, to increase the appropriation for "improving harbor at Muskegon, Michigan," from \$10,000 to \$20,000.

The amendment was agreed to.

The next amendment was, in line 242, to increase the appropriation for "improving harbor at Pentwater, Michigan," from \$6,000 to \$10,000.

The amendment was agreed to.

The next amendment was, in line 247, to increase the appropriation for "improving river and harbor at Saint Joseph, and water-channel leading up to Benton Harbor, Michigan," from \$8,000 to \$10,000.

The amendment was agreed to.

The next amendment was, after line 254, to insert

Improving Grand River from its mouth to the city of Grand Rapids, Michigan, \$10,000.

The amendment was agreed to.

The next amendment was, after line 256, to insert:

Continuing improvement of Clinton River, Michigan, \$8,000.

The amendment was agreed to.

The next amendment was, after line 258, to insert:

Removing bar at ice-harbor of refuge at Belle River, Michigan, \$7,000.

The amendment was agreed to.

The next amendment was, in line 289, to increase the appropriation for "improving Superior Bay, Wisconsin: dredging for improvement of natural entrance and for repairing existing works," from \$5,000 to \$10,000.

The amendment was agreed to.

The next amendment was, in line 291, to increase the appropriation for "harbor of refuge at Sturgeon Bay Canal, Wisconsin," from \$10,000 to \$15,000.

The amendment was agreed to.

The next amendment was, after line 293, to insert:

Improving harbor at Oconto, Wisconsin, \$10,000.

The amendment was agreed to.

The next amendment was, in line 300, to increase the appropriation for "improving harbor at Grand Marais, Minnesota," from \$10,000 to \$20,000.

The amendment was agreed to.

The next amendment was, in line 302, to increase the appropriation for "improving harbor at Duluth, Minnesota," from \$25,000 to \$40,000.

The amendment was agreed to.

The next amendment was, in line 304, to increase the appropriation for "improving the harbor at Wilmington, California," from \$12,000 to \$33,000.

The amendment was agreed to.

The next amendment was, after line 305, to insert:

Improving Humboldt Harbor and Bay, \$40,000.

The amendment was agreed to.

The Secretary read to line 315.

Mr. HAMLIN. I offer an amendment at that point, because it is one that virtually comes from the committee. It was omitted inadvertently.

Mr. RANSOM. The Committee would have reported the amendment, but the Senator from Maine was not here.

Mr. HAMLIN. In line 314 I move to strike out "\$20,000" and insert "\$66,000," so as to read:

Improving Lubec Channel, Maine, \$66,000.

The amendment was agreed to.

The Secretary resumed and continued the reading of the bill. The next amendment of the Committee on Commerce was, in line 316, after the word "New Hampshire," to strike out "five" and insert "ten;" and in line 317, after the word "dollars," to insert "of which sum an amount not exceeding \$750 shall be available immediately, to be used in acquiring title to land used in the cut-off at 'Ox Bow,'" so as to make the clause read:

Improving Exeter River, New Hampshire, \$10,000; of which sum an amount not exceeding \$750 shall be available immediately, to be used in acquiring title to land used in the cut-off at "Ox Bow."

Mr. ROLLINS. That is an error; the appropriation should be \$15,000. It was so agreed to by the committee. I move to amend by striking out \$5,000 and inserting \$15,000.

The PRESIDING OFFICER. Is that the report of the committee?

Mr. RANSOM. That should have been the report of the committee.

The PRESIDING OFFICER. The question is on agreeing to the

amendment increasing the appropriation for improving Exeter River, New Hampshire, from \$5,000 to \$15,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, after line 320, to insert:

Improving New Lamprey River, New Hampshire, below New Market, \$10,000.

Mr. ROLLINS. The word "New" should be stricken out before "Lamprey." It is the wrong name.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The Secretary resumed and continued the reading of the bill. The next amendment of the Committee on Commerce was, in line 335, to increase the appropriation for improving "Providence River and Narraganset Bay, Rhode Island," from \$40,000 to \$60,000.

The amendment was agreed to.

The next amendment was, after line 335, to insert:

Improving Potomac River, Rhode Island, \$5,000.

Mr. ANTHONY. There is a typographical error there. It should be "Potomac"—"w" instead of "m."

The PRESIDING OFFICER. The correction will be made. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in line 342, before the word "thousand," to strike out "fifty" and insert "eighty-five;" and in line 344, after the word "river," to strike out "forty-five," and insert "eighty;" so as to read:

Improving Mississippi, Missouri, and Arkansas Rivers: Removing snags, wrecks, and other obstructions, \$185,000; of which sum \$30,000 shall be expended on the Mississippi River, \$30,000 on the Missouri River, and \$25,000 on the Arkansas River. And the work herein provided for shall be prosecuted at all seasons of the year, especially between the 1st day of July and the 1st day of November of each year.

The amendment was agreed to.

The next amendment was, after the word "year," in line 349, to insert the following proviso:

Provided, That so much of said sum of \$80,000 hereby appropriated to the Missouri River as may be necessary shall be expended in the construction of a snag and dredge boat to be used in said river, the balance of said \$80,000 to be expended in operating said boat.

The amendment was agreed to.

The next amendment was, in line 374, to increase the appropriation for "improving Buttermilk Channel, New York," from \$40,000 to \$60,000.

This amendment was agreed to.

The next amendment was, after line 450, to insert:

Improving Chester River from Spry's Landing to Crampton, Maryland, \$6,500.

The amendment was agreed to.

The next amendment was, after line 452, to insert:

Improving water-passage between Deal's Island and Little Deal's Island, Maryland, \$5,000.

The amendment was agreed to.

The next amendment was, in line 455, after the word "Virginia," to strike out "ten" and insert "twenty;" and in line 456, after the word "dollars," to insert "to be expended on the improvement of the river and harbor at Petersburg, Virginia;" so as to make the clause read:

Improving Appomattox River, Virginia, \$30,000, to be expended in the improvement of the river and harbor at Petersburg, Virginia.

The amendment was agreed to.

The next amendment was, after the word "Virginia," in line 499, to strike out "twenty" and insert "forty;" so as to make the clause read:

Improving Little Kanawha River, West Virginia, \$40,000: Provided, That no tolls shall be collected by the Little Kanawha Navigator Company for that part of the river improved by the General Government.

Mr. HEREFORD. At line 501 there is a misprint. It should read "Navigation Company."

The PRESIDING OFFICER. The correction will be made.

Mr. SAULSBURY. In that connection I should like to ask the Senator from West Virginia if the navigation of that river is not under the control of a company?

Mr. HEREFORD. There is a provision here that no tolls shall be collected by the company for that portion of the river improved by the General Government.

Mr. TELLER. I cannot hear the Senator. What part of the river does he say is under the control of this navigation company?

Mr. HEREFORD. The lower part, toward the mouth. This is for the improvement above.

Mr. TELLER. Then we are improving, as I understand, the upper part of the river for the benefit of this navigation company below?

Mr. HEREFORD. No, sir; it is for the benefit of the commerce of the people.

Mr. SAULSBURY. I do not know anything about the commercial importance of the river, but if the navigation of the stream is obstructed by a corporation which charges toll, I do not think it wise for Congress to be appropriating money for the benefit of a company that controls the navigation of the stream.

Mr. HEREFORD. The Senator from Delaware must know as well

as any gentleman that we cannot insert any other provision in this bill to control the company. The appropriation is for the purpose of improving the commerce of the people on the upper part of the river.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in line 504, after the words "North Carolina," to strike out "ten" and insert "from the ocean to Wilmington, one hundred and forty;" so as to make the clause read:

Improving Cape Fear River, North Carolina, from the ocean to Wilmington, \$140,000.

Mr. TELLER. That is such a large increase that I should like to ask the chairman of the Committee on Commerce what is the necessity for it?

Mr. RANSOM. I will not detain the Senate nor my friend from Colorado a minute. It is a very proper inquiry that he should make, for the increase is a large one. I shall not take up the time of the Senate unless my friend from Colorado desires it. If he will notice in the report of the Secretary of War, it is suggested that a further report should be made upon this matter, and since the general report has come in the engineer, a very able engineer, Colonel Craighill, of the Army, has made his supplemental report on that matter, and his estimate is for \$400,000.

Mr. TELLER. That is, I suppose, a report that has come in that we have not had the benefit of. It has come in since the bill has been before the committee, I understand.

Mr. RANSOM. No, sir; it came in after the bill left the House.

Mr. TELLER. But it has not been printed.

Mr. RANSOM. It has not been printed. I will submit it to my friend to read at his leisure.

The PRESIDING OFFICER. Does the Senator from Colorado desire to have the report read?

Mr. TELLER. No, sir; I will read it myself.

The PRESIDING OFFICER. Does the Senator desire to have the amendment passed over?

Mr. TELLER. No, sir.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, after line 506, to insert:

Improving the Cape Fear River from Wilmington to Fayetteville, North Carolina, \$30,000.

The amendment was agreed to.

The next amendment was, in line 514, to increase the appropriation for improving "Neuse River from its mouth to head of navigation, North Carolina," from \$15,000 to \$30,000.

The amendment was agreed to.

The next amendment was, in line 516, to increase the appropriation for "improving Pamlico and Tar Rivers, North Carolina," from \$3,000 to \$8,000.

Mr. THURMAN. If I were not afraid of making the chairman of the Committee on Commerce mad with me, so that he will not vote for a little amendment that I have to propose, I would call attention to something rather curious about this bill.

Mr. RANSOM. I will answer the Senator with great pleasure.

Mr. THURMAN. The House passed an appropriation for improving Cape Fear River, North Carolina, \$10,000. Our committee changes that "to improve the Cape Fear River from the ocean to Wilmington, \$140,000," and then "for improving Cape Fear River from Wilmington to Fayetteville, \$30,000." That is, instead of \$10,000 as the appropriation was made in the bill as it came from the House, the committee report \$170,000, seventeen times as large as the House gave. Then going down we come to Neuse River. The House thought \$15,000 was enough for that, but our committee find it requires \$30,000, and so they have reported an amendment making it \$30,000. Then we come to Pamlico and Tar Rivers. The House thought \$3,000 was enough, our committee increase it to \$8,000. Then we come to Trent River, wherever that is. It is somewhere in North Carolina. The House thought that \$2,000 would do, but our committee think \$5,000 absolutely necessary. Then the House did not think anything was necessary for the Yadkin River, for Contentment Creek, wherever that is, or Beaufort Harbor, or Lillington River, but our committee think \$11,000 necessary for Yadkin River, \$10,000 necessary for Contentment Creek, \$30,000 necessary for Beaufort Harbor, and \$3,000 for Lillington River, but they could not give us \$20,000 more to go on with the work of the ice-harbor on the Ohio River, at the mouth of the Muskingum, although both the local engineer and the Chief Engineer recommended an appropriation of \$136,000.

I do not understand these amendments. Lillington River is much more important, it seems, than the navigation of the Ohio River and preserving its commerce from being destroyed by the out-going ice, and Contentment Creek in North Carolina is far more important than the Ohio River. I only want to say to my friend that I do not propose any log-rolling to him at all, but I hope when I come to move my amendment the same liberal spirit that has taken care of his State will induce him to look across the Alleghenies in a kindly manner.

Mr. RANSOM. The Senator from Ohio did not hear the explana-

tion that I made to the Senator from Colorado, which I think was satisfactory to him and to the Senate.

I dislike to take up the time of the Senate, but I will state again to my friend from Ohio—for I certainly call him my friend—that the report has since been made in reference to Cape Fear River. That report is now in the hands of my friend from Colorado, and is a very strong one in favor of the further improvement of the river, and recommends at the lowest estimate for the next year \$400,000. For the Upper Cape Fear we have taken on half the estimate.

I do not like to say exactly what this proposed leap at North Carolina from my friend means. I know it means that he expects a little favor from me toward the ice-harbor at Muskingum. I wish I could grant what he desires in that regard; but the Senator says he is not for a bargain, and I certainly am not.

Let me say one word if it is proper to do so. This bill came from the House to the Senate with \$65,000 only appropriated for the State of North Carolina, not as much for the whole of that State as the Senate last year gave the ice-harbor of Muskingum in the State of the Senator from Ohio.

Mr. THURMAN. No, \$50,000 was given to it.

Mr. RANSOM. Sixty-five thousand dollars was given by the House to the State of North Carolina. I suppose it is not wrong for me to say to the Senate that we have a coast line in that State of between two hundred and fifty and three hundred miles; that North Carolina has within her borders more water surface than any State, perhaps more than any two States in the Republic; that she has four great rivers making up from her bays and sounds and from the ocean through the central part of the State, all of them large and all of them navigable; and that the harbor at Wilmington, of which my friend spoke, is the great harbor of refuge for all the vessels on the eastern coast which are wrecked or disabled in the perils of Hatteras.

I will simply say to the Senate, as Senators will not have time now to look over the estimates, and it is due from me that I should say so, that in each one of the appropriations with reference to North Carolina I have gone below, and in many of them far below, the estimates of the engineers.

Mr. THURMAN. What is the estimate for the French Broad?

Mr. RANSOM. The estimate of the engineers is about \$10,000. My friend has gone at one grand leap from Currituck up to Cherokee. He has made a great stride, leaving the coast of North Carolina; but he has been disposed to be facetious, and if it was anybody else except the Senator from Ohio I would say that the innocence of geography of the Senator ought not to be taken by the Senate as an argument against the river and harbor bill; but I will not say that in reference to my friend. Here are all the estimates for North Carolina in this bill cut down, making but very little, if anything, beyond the appropriation that my friend has helped to make in that State for the many years he has been in the Senate.

Mr. VANCE. If my colleague will allow me a moment, I will say that the present appropriations for the whole of North Carolina lack \$50,000 of the amount given by the bill to the Ohio River, to say nothing of the thousands and hundreds of thousands that have been heretofore given to the improvement of the Ohio, when several of these streams in North Carolina have never had one dollar before. If the Senator will allow me, the reason why we are anxious to have these small streams and tributaries improved is in consequence of the agitation going over the country by reason of high railroad charges. People are now unwilling to pay very heavy freights, and, to avoid being subject to those high charges, an improvement of small streams in the eastern part of North Carolina, with a very small amount of money on the part of the Government, will enable farmers to transport their cotton, their lumber, and heavy freight to the port where it is to be shipped abroad, without subjecting them to the high rates charged by rail.

Mr. MORGAN. I have no remark to make about the appropriations for North Carolina or any other State, except in reference to the principle that seems to be advanced here as a basis for the action of the committee and also of the House of Representatives; and that is that the appropriations must be made to States. I understand the theory of the river and harbor bill has always been that the appropriations were made for the benefit of the commerce of the country; that an appropriation could not be established except as contributing to the commerce of the United States, and that otherwise it is a matter which more properly belongs to the States.

This argument has been prevailing in the Senate now for two or three years, and I have endeavored always to combat it. I cannot admit that proposition as a sufficient basis of my action in the Senate upon one of these bills. I cannot vote to give the money of the people of the United States to any State to works of internal improvement, but will vote to contribute what is proper out of the general revenues of the country to the promotion of the commerce of the country at large.

The junior Senator from North Carolina [Mr. VANCE] referred to the fact that this bill, and I suppose in that remark he would include all bills of a similar character, was framed in relation to the preparation of other convenient channels of commerce by some competition with the present railroad system of the United States, so as to cheapen transportation to the seaboard. That is not a correct basis of action in the Senate, for if that be so, if we desire to get control of transportation to the seaboard or elsewhere through appropria-

tions made by Congress out of the common Treasury of the United States, we have the same right to build other railroads to compete with those now existing as we have to open rivers for that purpose.

That is not a correct basis of action in the Senate. It is not a correct principle, and if these two ideas are followed in the appropriation bills for works of internal improvement, so-called river and harbor improvements, we shall find ourselves inside of five years voting \$100,000,000 for these works of internal improvement, for that is the very reason that has superinduced the log-rolling system into these bills which is so pernicious and so odious. Members imagine that their States should receive appropriations whether they have got conveniences or water-course to furnish advantages to the commerce of the country, merely because they have so much population and so much political power, and they give their aid to these bills because of the amount of money that they receive under them. Members have been continually rising in the House and in the Senate and demanding that more money should be given to their States, and even to their districts. In reading the debates of the other body during the past few years, I have observed frequent demands made that money should be appropriated as a condition for a member giving his vote on the bill. It will be impossible for us ever to get this system of log-rolling out of these bills and to get down to a system of appropriation for these works consistent with our duty to the Constitution of the United States, unless we commence a proceeding on the correct principle. The principles stated by the Senators from North Carolina, in reply to the remarks of the Senator from Ohio, are not correct, in my judgment, and I felt it to be my duty to answer them.

Mr. THURMAN. My friend from North Carolina [Mr. RANSOM] with very great justice taunts me with my ignorance of geography. I plead guilty, provided a river and harbor bill is to be taken as an improved geography; but if the geographies that are in use in our schools and those we have in our libraries are books that we may rely upon, then I think I could make a good defense, for I am quite sure that no author of any geography in use in America or anywhere else ever heard of many of the places that are to be found in every river and harbor bill that has passed Congress for years past or in the bill which is now before us.

I ought to know something about the State of Virginia—old Virginia—but upon my honor I never heard of Nomoni Creek, Virginia, for which \$2,000 are given in this bill. I never heard of Pagan Creek, in Virginia, for which \$5,000 are given in this bill. I certainly never heard of Totuski River, Virginia, and I doubt now whether my learned friend from North Carolina, great geographer as he is, could tell on the spur of the moment where Totuski River is.

Mr. RANSOM. I have looked into it thoroughly.

Mr. THURMAN. Ah! The Senator has looked into it since he was appointed chairman of the Committee on Commerce. I venture to say that before he was on that committee he never heard of it. Now, coming to his own State, I really do not believe until he attained that position which he fills so gracefully and with so much ability that he knew all the places that are mentioned here in his own State. I do not think he ever heard of Contentnia Creek. I do not think he ever heard of Lillington River.

Mr. RANSOM. One of the first battles of the Revolution was fought on Lillington River—a most distinguished battle.

Mr. THURMAN. Upon my word, then, it was a very great mistake in all the people who wrote the history of the war of the Revolution that they never mentioned the river. It must have gone by some other name in those days.

Mr. RANSOM. No; it went by that name.

Mr. THURMAN. I must say it is the first I have ever heard of it.

Mr. RANSOM. The river was named after General Lillington, of the Revolution, one of the most distinguished men in the South in the Revolution.

Mr. THURMAN. Here is another place: "Improving Town Creek, in North Carolina, \$1,000." I do not know what town it is that gives its name to this creek.

Mr. RANSOM. It was one of the earliest settlements in this country. When I spoke of the Senator's innocence of geography I had no idea that I should have to say something presently about his innocence of history. One of the very first settlements of the English people on this continent was on Town Creek.

Mr. THURMAN. And it has got along without an appropriation until my honorable friend got to be chairman of the Committee on Commerce, when, groping around in the far-distant annals of North Carolina, in the time past when some few white men settled there among the Indians, he has found that there is a place called Town Creek, and so he gives it \$1,000, not because it needs it for navigation, but because of the historical connection of that place.

Mr. RANSOM. If my friend had looked at the report of the engineers on Town Creek he would have seen that this improvement is a proper and necessary one.

Mr. THURMAN. I should like to know what \$1,000 can do to improve the town or creek.

Mr. RANSOM. In fact it should have been \$10,000 or \$20,000, but with a modesty for which North Carolina is proverbial I only ask for \$1,000.

Mr. THURMAN. That is all true, but we have been voting ever since I have been in the Senate, year after year, to improve the French Broad in North Carolina so that catfish could navigate it,

and I suppose we shall go on to the end of time, as long at least as there are catfish in the stream.

But, Mr. President, I do not want to take up the time of the Senate with this matter. I only want to appeal to my friend that while he is just and very generous to his own State he shall have a little favor to others.

The PRESIDING OFFICER. (Mr. INGALLS in the chair.) The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in line 519, to increase the appropriation for improving "Trent River, North Carolina," from \$2,000 to \$5,000.

The amendment was agreed to.

The next amendment was, after line 520, to insert:

Improving Yadkin River, North Carolina, \$12,000.

The amendment was agreed to.

The next amendment was, after line 522, to insert:

Improving Contentnia Creek, North Carolina, \$10,000.

The amendment was agreed to.

The next amendment was, after line 524, to insert:

Improving Beaufort Harbor, North Carolina, \$30,000.

The amendment was agreed to.

The next amendment was, after line 526, to insert:

Improving Lillington River, North Carolina, \$3,000.

The amendment was agreed to.

The next amendment was, in line 534, to increase the appropriation for "improving Waccemaw River, South Carolina, from its mouth up to Waccemaw Lake, North Carolina," from \$5,000 to \$10,000.

The amendment was agreed to.

The next amendment was, after line 535, to insert:

Improving Town Creek, in North Carolina, \$1,000.

The amendment was agreed to.

The next amendment was, in line 556, to increase the appropriation for "improving Choctawhatchee River, Florida and Alabama, up to Newton," from \$7,000 to \$10,000.

The amendment was agreed to.

The next amendment was, after line 563, to insert:

Improving Pea's Creek, in Florida, \$7,000.

The amendment was agreed to.

The next amendment was, after line 565, to insert:

Improving Withlacoochee River, in Florida, \$7,500.

The amendment was agreed to.

The next amendment was, in line 635, to increase the appropriation for "improving Arkansas River between Fort Smith, Arkansas, and Wichita, Kansas," from \$20,000 to \$24,000.

The amendment was agreed to.

The next amendment was, in line 638, to increase the appropriation for "improving Arkansas River at Pine Bluff, Arkansas," from \$20,000 to \$23,000.

The amendment was agreed to.

The next amendment was, in line 639, after the word "Arkansas," to insert "and Missouri;" in line 640, before the word "thousand," to strike out "five" and insert "six;" and in the same line, after the word "dollars," to insert "to be applied from Poplar Bluff;" so as to read:

Improving Black River, Arkansas and Missouri, \$6,000, to be applied from Poplar Bluff.

The amendment was agreed to.

The next amendment was, in line 641, to increase the appropriation for "improving Fourche Le Fevre River, Arkansas," from \$2,000 to \$3,000.

The amendment was agreed to.

The next amendment was, in line 644, to increase the appropriation for "improving Ouachita River, Arkansas and Louisiana," from \$10,000 to \$12,000.

The amendment was agreed to.

The next amendment was, in line 645, to increase the appropriation for "improving Saline River, Arkansas," from \$4,000 to \$5,000.

The amendment was agreed to.

The next amendment was, in line 648, to increase the appropriation for "improving White River between Jacksonport and Buffalo Shoals, Arkansas," from \$6,000 to \$8,000.

The amendment was agreed to.

The next amendment was, in line 650, to increase the appropriation for "improving White and Saint Francis Rivers," Arkansas, from \$6,000 to \$8,000.

The amendment was agreed to.

The next amendment was, after line 650, to insert:

Improving Little Red River, Arkansas, \$10,000.

The amendment was agreed to.

Mr. BAILEY. I wish to call the attention of the Senator in charge of the bill to line 670, the item for improving "Hiawasee River." The letter "a" should be stricken out after "i," it is Hiwassee—a mere verbal correction.

The PRESIDING OFFICER. The Clerk will make the necessary correction.

The Secretary resumed and continued the reading of the bill. The

next amendment of the Committee on Commerce was, after line 675, to insert:

Improving Red River from its mouth to Port Royal, in Montgomery County, Tennessee, \$5,000.

The amendment was agreed to.

The next amendment was, in line 683, to increase the appropriation for "improving Kentucky River from its mouth to Three Forks, Kentucky," from \$100,000 to \$125,000.

The amendment was agreed to.

The next amendment was, in line 686, after the word "navigation," to strike out "thirty," and insert "fifty;" in line 687, after the word "sum," to strike out "twenty-eight" and insert "forty-six;" and in line 688, before the word "thousand," to strike out "two" and insert "four;" so as to read:

Improving Big Sandy River from Catlettsburgh, Kentucky, to head of navigation, \$50,000; of which sum \$46,000 shall be expended at Louisa, and \$4,000 in the continuation of works on the upper river.

The amendment was agreed to.

The next amendment was, in line 692, after the word "Indiana," to strike out "twenty-five" and insert "fifty;" and in line 693, after the word "dollars," to insert "one-half of which is to be used on the river above Vincennes;" so as to read:

Improving Wabash River, Indiana, \$50,000, one-half of which is to be used on the river above Vincennes.

The amendment was agreed to.

The reading of the bill was continued to line 716.

Mr. RANSOM. In behalf of the committee I move an amendment that was omitted. After line 716 I move to insert:

Completion of work of improving sand-bar in Mississippi River opposite Guttenberg, Iowa, \$5,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in line 741, after the word "canal," to insert "and Saint Clair Flats Canal;" so as to make the clause read:

And hereafter, for the purpose of operating and keeping in repair the Des Moines Rapids Canal, and Saint Mary's Falls Canal, and Saint Clair Flats Canal, and the Louisville and Portland Canal, the Secretary of War is authorized to draw his requisition on the Secretary of the Treasury, from time to time, which requisition shall be paid out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The next amendment was, in line 750, to increase the appropriation for "improving Cuivre River, Missouri, from mouth to Chain of Rocks, and removing snags and obstructions," from \$2,000 to \$5,000.

The amendment was agreed to.

The next amendment was, after line 755, to insert:

Improving Missouri River, from Kansas City to its mouth, \$35,000.

The amendment was agreed to.

The next amendment was, in line 763, to increase the appropriation for "improving Missouri River at Council Bluffs, Iowa, and at Omaha, Nebraska," from \$20,000 to \$30,000.

The amendment was agreed to.

The next amendment was, in line 765, to increase the appropriation for "improving the Missouri River at Eastport, Iowa, and at Nebraska City, Nebraska," from \$14,000 to \$20,000.

The amendment was agreed to.

The next amendment was to strike out lines 791 and 792, as follows:

Improving Saint Clair Flats, Michigan: Repairs, &c., \$5,000.

The amendment was agreed to.

The next amendment was, in line 798, after the word "dollars," to insert "which shall be available immediately after the passage of this act;" so as to make the clause read:

Repairs and contingencies of public works at Saint Anthony's Falls, Minnesota: To meet repairs necessary, present and prospective, \$15,000, which shall be available immediately after the passage of this act.

The amendment was agreed to.

The next amendment was, after line 804, to insert:

Constructing a lock and dam at Goose Rapids, on the Red River of the North Minnesota and Dakota, \$20,000.

The amendment was agreed to.

The next amendment was, after line 809, to insert:

Continuing improvement at the entrance of Coos Bay Harbor, \$30,000.

The amendment was agreed to.

The next amendment was, in line 823, to increase the appropriation for "improving Sacramento River, California," from \$30,000 to \$60,000.

The amendment was agreed to.

The next amendment was, in line 825, after the word "California," to strike out "twenty" and insert "forty;" and in line 826, after the word "dollars," to insert "\$10,000 of which amount may be used, in the discretion of the engineer, in the improvement of Mormon Slough;" so as to read:

Improving San Joaquin River, California, \$40,000; \$10,000 of which amount may be used, in the discretion of the engineer, in the improvement of Mormon Slough.

The amendment was agreed to.

The next amendment was, after line 865, to insert:

Improving Bayou Black, in Louisiana, \$10,000.

The amendment was agreed to.

The next amendment was, in line 870, after the word "Missouri," to insert "and Arkansas, from Doniphan to its mouth;" so as to read:

Improving Current River, Missouri and Arkansas, from Doniphan to its mouth, \$20,000.

The amendment was agreed to.

The next amendment was, in line 875, after the word "Delaware," to strike out "ten thousand" and insert: "Deepening the channel and improving the Harbor of Christiana River, from the Delaware River to and above the city of Wilmington, in accordance with the surveys and plans of the United States Engineer Department, \$50,000;" so as to make the clause read:

Improving Christiana River and Wilmington Harbor, Delaware: Deepening the channel and improving the Harbor of Christiana River, from the Delaware River to and above the city of Wilmington, in accordance with the surveys and plans of the United States Engineer Department, \$50,000.

The amendment was agreed to.

The next amendment was, to strike out lines 895 and 896, as follows:

Improving Pasquotank River, North Carolina, \$5,000.

The amendment was agreed to.

The next amendment was, after line 988, to insert:

Such parts of the money appropriated by this act for any particular improvement requiring locks and dams as may be necessary in the prosecution of such improvement may be expended in the purchase, voluntary or by condemnation, as the case may be, of necessary sites: *Provided*, That such expenditures shall be under the direction of the Secretary of War: *And provided further*, That if the owners of such lands shall refuse to sell them at reasonable prices, then the prices to be paid shall be determined and the title and jurisdiction procured in the manner prescribed by the laws of the State in which such lands or sites are situated. It shall be the duty of the Secretary of War to apply the money herein appropriated for improvements, other than surveys and estimates, in carrying on the various works, as far as can be without detriment to the interest of the Government, by contract. Where such works cannot be done by contract without injury to the public interest, they may be prosecuted by hired labor. Where said works are done by contract, such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders, accompanied by such securities as the Secretary of War shall require, conditioned for the faithful prosecution of the work according to such contract, and for the proper payment of all liabilities incurred in the prosecution thereof for labor and material; but this clause shall not be so construed as to prevent the continuance of work on the Great Kanawha by hired labor, unless the Secretary of War is satisfied that the public interest requires such change.

The amendment was agreed to.

The next amendment was, in section 3, providing for "examinations or surveys, or both, and estimates of cost of improvements," after line 7, to insert:

The Chattahoochee River, in Georgia, between West Point and Bolton, on the Western and Atlantic Railroad, so as to complete the survey of that portion of said river.

The amendment was agreed to.

The next amendment was, in section 3, after line 31, to insert:

Beaver Bay, Minnesota, to ascertain the cost and practicability of making it a harbor of refuge.

The amendment was agreed to.

The next amendment was, in section 3, after line 33, to insert:

Grand Portage Bay and Wans-wan-goising Bay, Minnesota, to determine which, if either, should be made a harbor of refuge.

The amendment was agreed to.

The Secretary continued the reading of the bill to the end of line 39, in section 3.

Mr. MAXEY. I call the attention of the Senator from North Carolina to line 39. The word "Texas" should be inserted after "Matagorda;" so as to read:

Matagorda Bay at the mouth of Saint Mary's Bayou, near the town of Matagorda, Texas.

Mr. RANSOM. That correction can be made.

The PRESIDING OFFICER. The bill will be so corrected.

The Secretary resumed and continued the reading of the bill. The next amendment of the Committee on Commerce was, in section 3, line 44, after the word "from," to strike out "Gaston" and insert "Weldon;" so as to read:

Roanoke River from Weldon, North Carolina, to Clarksville, Virginia.

The amendment was agreed to.

The next amendment was, in section 3, after line 61, to insert:

And the Secretary of War is hereby directed to cause to be made examinations and surveys, or both, and estimates of the cost of the further improvements necessary to be made in the Savannah River and Harbor to increase the depth of the water in said river and harbor from the bar up to the city to twenty-two feet, and to make an estimate of the cost of widening the channel of the Savannah River opposite the city to six hundred feet of uniform depth with the balance of the channel.

The amendment was agreed to.

The next amendment was, in section 3, after line 73, to insert:

Snake River from Lewiston to the mouth of Salmon River, Idaho Territory.

The amendment was agreed to.

The Secretary resumed and continued the reading of the bill to the end of line 94, of section 3.

Mr. DAVIS, of Illinois. In line 93 the word "Newport" should be "Newark;" I think.

Mr. RANSOM. "Newport" should be "New York," I think, in line

93. Gentlemen who ought to know tell me it is "Newark," however, and I move that amendment, so as to read:

From a point between Ellis Island and the docks of New Jersey Central Railroad to a point between Robbins' Reef Light and Constable Hook, in waters of Newark Bay, New Jersey.

The amendment was agreed to.

The Secretary resumed and continued the reading of the bill. The next amendment of the Committee on Commerce was, in section 3, after line 122, to insert:

For a further survey of James River, for the purpose of ascertaining the practicability and cost of procuring a channel of twenty-five feet at full tide from Richmond to the mouth of the river.

The amendment was agreed to.

The next amendment was, after line 126 of section 3, to insert:

Survey of Upper Machodoc Creek, a tributary of Potomac River.

The amendment was agreed to.

The next amendment was, after line 128 of section 3, to insert:

Survey of Urbana Creek, a tributary of Rappahannock River, from the village of Urbana to the Oaks.

The amendment was agreed to.

The next amendment was, after line 130 of section 3, to insert:

The harbor of Mamaroneck, New York.

The amendment was agreed to.

The next amendment was, after line 131 of section 3, to insert:

Cumberland River at Smith's Shoals, in the State of Kentucky, to ascertain the practicability and cost of a canal, with locks and dams, from the head to the foot of said shoals.

The amendment was agreed to.

The next amendment was, after line 134 of section 3, to insert:

The harbor at the Delaware Breakwater, and the entrance thereto.

The amendment was agreed to.

The next amendment was, after line 136 of section 3, to insert:

Indian River, in the State of Delaware, from its mouth to Millsborough.

The amendment was agreed to.

The next amendment was, after line 138 of section 3, to insert:

For ascertaining, first, the cost of improving the Hiawasseo, Little Tennessee, and Savannah Rivers up to the head of practicable slackwater navigation; second, exact profiles of the routes through Hightower and Rabun Gaps, with cross-sections at suitable points, from which it can be determined to what extent the inclined-plane system can be utilized, and estimates of the cost of building the necessary canal can be made; third, a comparison of the cost, distances, lockage, &c., of the Hiawasseo and Little Tennessee routes with each other, and with the corresponding elements of the route, via Tennessee, Coosa, and Ockmulgee Rivers, surveyed in 1874, \$15,000.

The amendment was agreed to.

The next amendment was, after line 152 of section 3, to insert:

Survey of the Clarion River from its mouth to Ridgway, Pennsylvania.

The amendment was agreed to.

The next amendment was, after line 154 of section 3, to insert:

From Brazos de Santiago, through Laguna Madre, to Point Isabel, Texas, to ascertain the cost and practicability of a deep-water channel from the anchorage at Brazos de Santiago to the railroad-wharf at Point Isabel.

The amendment was agreed to.

The next amendment was, after line 158 of section 3, to insert:

Survey for breakwater and harbor of refuge at Milford, Connecticut.

The amendment was agreed to.

The next amendment was, after line 160 of section 3, to insert:

Entrance to Gray's Harbor, Washington Territory.

The amendment was agreed to.

The next amendment was, after line 161 of section 3, to insert:

Between Baker's Bay and Shoalwater Bay, Washington Territory, for canal for light-draught vessels.

The amendment was agreed to.

The next amendment was, after line 163 of section 3, to insert:

Missouri River at or near Arrow Rock.

The amendment was agreed to.

The next amendment was, after line 164 of section 3, to insert:

Survey and estimates of a route for a ship-channel four hundred feet wide and thirty feet deep from a point on the Mississippi River at or above Carrollton, Louisiana, to a point on said river at or near the United States barracks below the city of New Orleans.

The amendment was agreed to.

The next amendment was, after line 169 of section 3, to insert:

Skipton Creek, Maryland.

The amendment was agreed to.

The next amendment was, after line 170 of section 3, to insert:

Bush River, Maryland, from Harford Furnace to Chesapeake Bay.

The amendment was agreed to.

The next amendment was, after line 172 of section 3, to insert:

Licking River from its mouth to Falmouth, in Kentucky.

The amendment was agreed to.

The next amendment was, after line 174 of section 3, to insert:

Oregon Inlet, in Dare County, in North Carolina.

The amendment was agreed to.

The next amendment was, after line 175 of section 3, to insert:

Survey and estimate for canal connecting Saint John's River and Matanzas River and the Indian River, and for opening and deepening channels, so as to make a steamboat communication to Jupiter Inlet.

The amendment was agreed to.

The next amendment was, after line 179 of section 3, to insert:

Survey of Chehalis River, in Washington Territory.

The amendment was agreed to.

The next amendment was, after line 181 of section 3, to insert:

Whiteoak River, in North Carolina.

The amendment was agreed to.

The next amendment was, in section 4, line 3, after the words "sum of," to strike out, "one hundred" and insert "fifty;" so as to make the section read:

SEC. 4. That for the examinations and surveys herein provided for, and for incidental repairs of harbors for which there is no special appropriation, the sum of \$50,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated; and in every case where examinations or surveys are made the report thereon shall embrace such information concerning the commercial importance, present and prospective, of the improvement contemplated thereby, and such general commercial statistics as the Secretary of War may be able to procure.

The amendment was agreed to.

Mr. RANSOM. By direction of the Committee on Commerce I offer the following amendment, submitted by the Senator from Iowa, [Mr. ALLISON,] to come in after line 164 of section 3:

For survey of Nishnabotana from Hamburg, Iowa, to its junction with the Missouri.

The amendment was agreed to.

Mr. RANSOM. For the Senator from Maryland, [Mr. WYTHE,] who is not here, I report this amendment from the committee, to come in after line 988 of section 1:

Improving the harbor at the entrance of Saint Jerome's Creek, Maryland, \$6,500.

The amendment was agreed to.

Mr. RANSOM. The committee also instruct me to offer this amendment, to come in after line 988 of section 1:

For the improvement of Saint Jones' River, in the State of Delaware, \$5,000.

The amendment was agreed to.

Mr. RANSOM. I have one other amendment, to come in after line 765 of section 1:

Improving Missouri River at Plattsmouth, Nebraska, \$10,000.

The amendment was agreed to.

Mr. LOGAN. I desire to offer an amendment to section 1, line 184. My amendment is to strike out the word "twenty" and insert "forty;" so as to read:

Improving harbor at Calumet, Illinois, \$40,000.

Mr. RANSOM. I am compelled, by instructions from the committee which I represent on this floor—I dislike very much to do it though to my friend from Illinois—to move to lay the amendment on the table. I will not submit the motion until he says what he has to say.

Mr. LOGAN. That is very generous to me. I desire to call the attention of the Senate to the recommendation of the engineers to this harbor, which is a harbor of safety, and a very important one too, some two miles on the lake below Chicago, where there are several large manufacturing establishments, and where vessels are taken for refuge. This harbor of Calumet has had appropriations for several years, and the engineer says now that \$50,000 will complete it, will dredge it to the depth of fifteen feet, and extend the piers so as to complete the harbor. That is the recommendation of the engineer in charge for this year. The committee have given us the sum of \$20,000.

I will say, for the benefit of the chairman of the committee, that taking all the appropriations for the harbor at Chicago, for Calumet Harbor, and for harbors on the lake in the vicinity of Chicago, where certainly very nearly as much commerce floats as does up the rivers of North Carolina, where \$170,000 is appropriated, we have a reduction of the estimates of over one-half of every appropriation which is made for these harbors. Where the engineers recommend for the harbor of Calumet \$50,000 the committee give us \$20,000.

I do not wish to take the time of the Senate by reading to any extent, but I will call attention to one paragraph in the Engineer's Report:

Calumet Harbor, Illinois.—The present project for the improvement of this harbor was adopted to comply with the requirements of the act of July 11, 1870, the object being to construct a harbor of refuge and afford a channel of entrance to the Calumet River three hundred feet wide, and not less than fifteen feet deep. Before improvement the general depth of the river, after passing the bar at its mouth, was thirteen feet, the natural channel over the bar being narrow and shifting, with a varying depth of from four to seven feet. The amount expended to June 30, 1880, is \$276,291.84, and has resulted in securing a navigable channel with a depth of not less than twelve and one half feet.

The appropriation of \$50,000 asked for will complete the present project, and will be applied to deepening the channel to the depth of fifteen feet, and extending the piers for its protection to deep water.

That is the estimate made by the engineer, with the reason for it, and that amount of money will deepen and extend the piers so as to protect the harbor, and that harbor has been having important work done on it ever since 1870, and that amount, after expending two hundred thousand dollars and odd, is all that is required. The committee give us \$20,000.

I hope, if this bill is to pass at all—and I have nothing to say on that point now—that the harbors that are in a condition nearing completion will at least receive the amounts of money which are necessary to aid in their completion. If this was merely the first appropriation for this harbor I would not insist upon it; but inasmuch as the engineers report that \$50,000 will complete it, and as I only ask

an additional \$20,000 to what the committee report, I hope it will be granted, so that this harbor may be completed during this year, for it is very important to trade and commerce as a harbor of refuge, and it is considered of great importance by the engineers in charge of Chicago Harbor and of this harbor.

Mr. RANSOM. I ask that the amendment be read.

The CHIEF CLERK. In line 184, of section 1, it is proposed to strike out "twenty" and insert "forty," so as to read:

Improving harbor at Calumet, Illinois, \$40,000.

Mr. RANSOM. I ask the Senator from Illinois if he will add to his amendment "for the completion of the work?" The Senator from Illinois misunderstood me in the remark I made. I meant to give notice that it would be my duty to move to lay amendments generally on the table. I am very glad that I have heard what the Senator from Illinois had to say about this item, for it is due to the committee to say that as a very general rule where a sum of money which was at all reasonable would suffice to complete the work it has been the theory and policy of action of the committee to appropriate the amount necessary to complete the work.

Mr. DAVIS, of Illinois. I sincerely hope that the Senator from North Carolina will withdraw his motion to lay on the table.

Mr. RANSOM. I have not made that motion.

Mr. DAVIS, of Illinois. I thought the Senator had. This work is of very great importance to the city of Chicago. My colleague has well said that it is a harbor of refuge and the best harbor that there is in the vicinity of Chicago for that purpose. I do not know whether \$40,000 will finish it or not, but it is the purpose of the Government to finish it if possible with that sum of money.

Mr. RANSOM. I feel satisfied that if the attention of the committee had been called particularly to the condition of this harbor, the committee would have reported this amendment, and therefore I will make no objection to it.

The PRESIDING OFFICER. (Mr. GARLAND in the chair.) The question is on the amendment of the Senator from Illinois, [Mr. LOGAN.]

The amendment was agreed to.

Mr. DAVIS, of Illinois. I move to amend on page 31, line 726, of section 1, by striking out "ten" and inserting "twenty-five;" so as to make the item read:

Improving Quincy Bay, Illinois, \$25,000.

I think I am in order because the amendment was sent to the Committee on Commerce. Quincy is one of the important places between Saint Paul and Saint Louis. In my opinion it is the best harbor between the two cities. There is a land-locked harbor at that place, and it is a harbor of safety and of refuge both. It seems to me that a ten-thousand-dollar appropriation is too small, especially when the engineers have recommended \$50,000, as I understand.

My colleague in the House, General SINGLETON, who represents Quincy, told me—I have not myself examined it to see whether it is so—that the engineer in charge recommended \$50,000. The sand-bar has accumulated at the mouth of the harbor, and it will take more than \$10,000 to remove it and make the harbor what it was designed to be, one of the very best on the Mississippi River from Saint Paul to New Orleans. I cannot see any reason in the world why so many increases have been made in this bill and this harbor has been neglected altogether.

The argument that so much has been appropriated to the State of Illinois has nothing to do with the question. The Mississippi is a great navigable stream; everybody is concerned in it, and not the State of Illinois alone. This appropriation is needed for that harbor. We do not ask the \$50,000 but we do ask \$25,000. The engineers say:

Amount that can be profitably expended in fiscal year ending June 30, 1882, \$50,000.

I am much obliged to my colleague for calling my attention to this and handing me the report. Here is what the officer in charge says:

The appropriation of \$50,000 asked for is to be applied in continuing dredging in Quincy Bay, and in building brush and stone dams and shore protections with a view to carrying out the existing project.

The engineers have a project in reference to the improvement there and they ask for \$50,000 to make that improvement. We have but \$10,000 in the bill. It will not carry out the work; it will be money wasted. Twenty-five thousand dollars is what we have asked for, which is half the estimate, and it seems to me Congress ought to grant it.

Mr. RANSOM. Before the colleague of the Senator from Illinois offered his first amendment I stated that it would be my duty, acting for the Committee on Commerce, to move to lay amendments hereafter upon the table. I heard the Senator [Mr. LOGAN] because I had said I would. I beg leave now to say that the amendment suggested by the Senator from Illinois on my left [Mr. DAVIS] was considered by the committee, well considered, and we could not report it. I am obliged to move to lay the amendment on the table.

Mr. LOGAN. I hope the Senator will not move to lay the amendment on the table. Let the Senate take a vote upon it. It is an important matter; it is important to our constituents.

Mr. RANSOM. I feel obliged to insist on the motion. If I yield to the Senators from Illinois, I must yield to every Senator on the floor; and the time has come when in the discharge of my duty I must in-

sist on the motion I indicated, however unpleasant the duty may be. I move to lay the amendment on the table.

The PRESIDING OFFICER. The Senator from North Carolina moves to lay the amendment on the table.

Mr. DAVIS, of Illinois. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 27, nays 20; as follows:

YEAS—27.

Anthony,	Cameron of Pa.,	Hampton,	Pugh,
Baldwin,	Cameron of Wis.,	Hereford,	Ransom,
Bayard,	Coke,	Johnston,	Rollins,
Beck,	Davis of W. Va.,	Jonas,	Vance,
Bruce,	Eaton,	Kernan,	Wallace,
Burnside,	Farley,	Lamar,	Williams.
Butler,	Grover,	Maxey,	

NAYS—20.

Allison,	Davis of Illinois,	Morgan,	Slater,
Bailey,	Dawes,	Morrill,	Teller,
Brown,	Hill of Georgia,	Pendleton,	Thurman,
Call,	Ingalls,	Platt,	Vest,
Conkling,	Jones of Nevada,	Saunders,	Voorhees.

ABSENT—23.

Blaine,	Groome,	Kirkwood,	Randolph,
Blair,	Hamlin,	Logan,	Saulsbury,
Booth,	Harris,	McDonald,	Sharon,
Cockrell,	Hill of Colorado,	McMillan,	Walker,
Edmunds,	Hoar,	McPherson,	Whyte,
Ferry,	Jones of Florida,	Paddock,	Windom,
Garland,	Kellogg,	Plumb,	Withers.

So the motion was agreed to.

Mr. SLATER. I ask that a verbal amendment be made in line 811 of section 1. After the word "Harbor" I move to insert "Oregon," so as to read:

Continuing improvement at the entrance of Coos Bay Harbor, Oregon, \$30,000.

The PRESIDING OFFICER. That amendment will be made if there is no objection.

Mr. RANSOM. No objection.

Mr. SLATER. Now, I move to strike out "forty-five" in line 818 of section 1, and insert "seventy;" so as to read:

Improving Lower Willamette and Columbia Rivers from Portland, Oregon, to the sea, including bar at mouth of Columbia River, Oregon, \$70,000.

Mr. President, this improvement is one of the most important included in the bill for which appropriations are made. Within the eleven months ending the 31st of last May the foreign exports from that river were \$6,000,000, and the coastwise and foreign trade together during the same period was \$15,000,000. The Department recommended \$150,000 for this work, of which the committee gives us only \$45,000. I now ask that it be increased to \$70,000, which is not above the average for appropriations of this character, as prorated on the recommendations of the Department. It seems to me that if national works ought to be taken into consideration, this is one which should be considered. I hope the committee will not move to lay this amendment on the table; but if that motion is made I hope the Senate will vote down the motion.

Mr. THURMAN. Mr. President, this bill proposes a very large expenditure of money. I do not know that I should object to it if the objects of that expenditure were such as in my judgment they ought to be. If the appropriations to improve insignificant streams, if the spreading out of this money over a vast number of objects until it becomes so thin that it benefits none of them, were abandoned, and the money were appropriated to the improvement of some great harbors or channels of commerce, I do not know but that I should cheerfully support the bill. But when a bill is brought in that expends money upon the most insignificant streams in the country, that utterly wastes money in an attempt to improve that which cannot be improved, which nature never meant to be a navigable stream, which nature never meant for a channel of commerce, which human ingenuity cannot convert into a channel of commerce, when money is expended upon such objects as those and those places which ought to be improved like the mouth of the Columbia River are neglected, I for one must say that I will vote against these small and insignificant and useless appropriations and in favor of expending money where it can do some good.

Is there on all the Pacific coast, with the exception of the harbor of San Francisco, any object more worthy of the consideration of Congress than the mouth of the Columbia River? Is there any man familiar with the history of the western coast of this country who does not know that the bar at the mouth of that river has presented one of the greatest and most dangerous obstacles to navigation and commerce that are presented on the whole of that coast? Is there any man who does not know how few are the great ports on the western coast of this continent; and is there any man here having a just and proper view of what ought to be done by Congress on the subject of the rivers and harbors of this country who would not be willing to expend five times the amount that the Senator from Oregon asks shall be expended for the improvement of the entrance into the Columbia River?

Mr. President, I shall vote for his amendment with the greatest pleasure, and I hope that the Senate having in view the real purpose of a river and harbor bill, the real purpose of promoting the commerce of the country, will sustain that amendment by a unanimous vote.

Mr. GROVER. I wish to say, Mr. President, that the Columbia River is the second river in the North American continent. It drains 300,000 square miles of the territory of the United States. It is the only river upon the American continent which will receive a deep sea-going vessel one hundred and twenty miles into the interior. That the Columbia River will do. We ask this small appropriation for the purpose of aiding the great interests concerned in that river.

Mr. RANSOM. Mr. President, the Committee on Commerce of the Senate considered this amendment with all the care that it could. It had every disposition to grant it, as it had to grant hundreds of other amendments increasing appropriations in this bill; but we found that it would be impossible to do it unless we appropriated an amount of money which the country would not bear. It is not improper for me to say to the Senators from Oregon that an amendment considered of more importance to their State than this was put on the bill by the Senate committee, for Coos Bay, though this was important. I am compelled again to move to lay the amendment on the table.

Mr. FARLEY. Mr. President—

Mr. RANSOM. The motion is not debatable. I have moved to lay the amendment on the table.

The PRESIDING OFFICER. The question is not debatable.

Mr. FARLEY. I hope the Senator from North Carolina will withdraw his motion for a moment.

Mr. RANSOM. The Senator from California is a member of the committee. If he asks me to do this, I am obliged to do it, but he ought to be careful how he makes such a request.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. FARLEY. I have this to say in reference to the amendment moved by the Senator from Oregon: It is true, as has been stated by the chairman of the committee, that this amendment was considered and rejected by a majority of the committee; but I found on an examination of this whole question that the people of the Pacific coast are in favor of this appropriation, and more, if necessary, for this particular object. The Chamber of Commerce of the city of San Francisco has indirectly instructed me as to my action upon this matter. It is a matter in which the entire Pacific coast is interested, and the entire country to a very great extent. I have no disposition to go against the committee's report, but my position as a representative of that coast will compel me to vote against the report of the committee on this point. I simply make this explanation so that the vote I shall give in reference to this matter may be understood.

Mr. RANSOM. I appreciate and comprehend fully the reasons and motives that control the Senator from California; but they did not affect the judgment of the committee, and I hope they will not affect the judgment of the Senate. I renew the motion to lay the amendment on the table.

Mr. MORGAN called for the yeas and nays, and they were ordered; and being taken, resulted—yeas 20, nays 25; as follows:

YEAS—20.

Anthony,	Cameron of Pa.,	Hill of Colorado,	Plumb,
Baldwin,	Cameron of Wis.,	Jonas,	Pugh,
Beck,	Coke,	Lamar,	Ransom,
Burnside,	Ferry,	McMillan,	Rollins,
Butler,	Hereford,	Maxey,	Vance.

NAYS—25.

Bailey,	Farley,	Logan,	Teller,
Bayard,	Garland,	Morgan,	Thurman,
Brown,	Grover,	Morrill,	Vest,
Call,	Hampton,	Pendleton,	Voorhees.
Conkling,	Hill of Georgia,	Saulsbury,	
Davis of Illinois,	Ingalls,	Saunders,	
Dawes,	Kernan,	Slater,	

ABSENT—30.

Allison,	Edmonds,	Kellogg,	Walker,
Blaine,	Groome,	Kirkwood,	Wallace,
Blair,	Hamlin,	McDonald,	Whyte,
Booth,	Harris,	McPherson,	Williams,
Bruce,	Hoar,	Paddock,	Windom,
Cockrell,	Johnston,	Platt,	Withers.
Davis of W. Va.,	Jones of Florida,	Randolph,	
Eaton,	Jones of Nevada,	Sharon,	

So the motion was not agreed to.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oregon, [Mr. SLATER.]

Mr. SAULSBURY. I dislike very much to differ with the committee, but having some knowledge of the character of the mouth of the Columbia River and the importance of that river to the general commerce of the country, I feel bound to say that the amendment offered by the Senator from Oregon is in my judgment a very proper amendment. Some three years ago I had the opportunity of being on the Pacific coast and seeing this river for myself. There is a very large amount of commerce on the Columbia River. While I was in Portland I found that in a brief space of time there had been seventy-two ships loaded at Portland with wheat for foreign markets, and all but nine were foreign bottoms, and yet the navigation of the mouth of that river was considered so dangerous and so uncertain in rough weather that many shipmasters determined not to attempt to enter the mouth of that river, and passed on one hundred miles further and landed their cargoes there, whence they came across Washington Territory to Oregon.

I am satisfied that there is great necessity for the improvement of the mouth of that river to the commerce that goes out of that great

Columbia River. It is not only necessary for the commerce, but for the safety of the people that enter the mouth of that river going up the Columbia River from the ocean. I therefore am compelled to differ with the judgment of the committee and to vote for the appropriation moved by my friend, the Senator from Oregon.

Mr. KERNAN. This bill, as I am informed, appropriates now about eleven and a half million dollars, and yet I shall vote for this amendment to increase the amount for this particular improvement from forty to seventy thousand dollars. I think that the mouth of the Columbia River is an object which is properly to be taken care of by the Federal Government. It accommodates an immense amount of coastwise trade; it deals with foreign commerce largely, and, although I think this bill appropriates too much money in all, I do not think it appropriates too much money for the rivers and harbors that are properly within the jurisdiction of the United States. I think we should reduce the aggregate by striking out appropriations for what the Senator from Ohio justly said were mere inland streams, over which the United States and its courts have not maritime jurisdiction. Maritime jurisdiction does not reach these inland streams that are cleared out merely to float logs or things of that sort. I think the rule is that all that are merely local should be taken care of by the proper State; what is really national should be taken care of by the Federal Government. Here, however, you appropriate nothing for the real harbors of the country; nothing for the rivers which are of advantage to commerce. The Senator from Oregon says that here is a river up which sea-going vessels can go two hundred miles.

If we cannot appropriate on a proper scale for such works except by giving shares to other States simply on the ground that they must have a share of the appropriation, then this whole subject will have to be dealt with in a different way.

I shall vote to increase this item and I shall vote against the bill as it now stands. I should be faithless to my convictions of what is right, I should be inviting a distribution of money among the States on the theory of this river and harbor appropriation bill if I did not vote against it. Here I find eleven and a half million dollars appropriated, and a large amount of it for objects which I cannot think are proper objects to be cared for out of the Treasury of the United States.

Mr. HEREFORD. The Senator from New York will allow me. Why does not the Senator move to strike out some item of that kind for his own State?

Mr. KERNAN. I answer with the greatest pleasure, if my friend will point out an item for my State which is not for the commerce of the great lakes or the commerce of the ocean, I will vote with him to strike it out. Look them over, and I find no appropriations for any rivers in New York except rivers like the Hudson, where the tide ebbs and flows, and the appropriation does not reach above where the United States have a custom-house, at Albany. The Mohawk is a great stream compared with some that are in this bill; the Oswego River is a great stream compared with some in this bill; but the Mohawk and the Oswego are cared for by the State by its canals and by its improvements. The other appropriations are for the great harbor of New York, the East River, Long Island Sound, where sea-going vessels go in and out. Those are cared for, not for New York, but for the United States, who collected in that harbor \$134,000,000 of duties on imports during the past year. Then there are a few little appropriations made for harbors on Lake Ontario. Why are they there? Because vessels load at Chicago, come down through the Welland Canal, and these harbors are where railroads come in and where vessels land their cargoes and where lake vessels take refuge in time of danger and storm. If there is one of them that any Senator will show does not come within the very purpose of protecting Federal national commerce, then I will vote to strike it out, because I know that local improvements are done cheaper and are done better by the States than when they are paid for out of the Federal Treasury.

But the system of bills of this kind seems to be "you must give my State some or I will not give yours any." New York has instructed, by her example in the past, her representatives to adhere to the old doctrine that the Federal Government should appropriate money only for Federal purposes, and that local purposes and local objects should be cared for by the State. Now, although this bill is loaded down with what I think are improper appropriations, I shall nevertheless vote for this amendment to increase the item for the mouth of the Columbia River; and, if I can get an opportunity, I will vote to strike out those items which I think do not come within the true province of the National Government to take care of, and thus reduce the appropriations, not giving good and bad a share, and refusing to give money that is needed for a national purpose because we have given much for objects which do not belong to the proper province of the Federal Government.

Mr. HEREFORD. It is very evident now that it is the object to load this bill down so as to kill it. There is no use in our deceiving ourselves on this subject. The Senator from New York talks about voting for streams that enter into the great lakes or enter the great harbors; he says those are the works he is going to vote for, and nothing else.

Mr. KERNAN. I spoke against giving money to streams that run into the lakes. I would vote against giving it to the Oswego River, that runs into Lake Ontario, where there is a great harbor and a great national commerce. I spoke of the harbors on the lakes for

the care of shipping, the unloading of it, and the protecting of it. Those lakes are inland seas, where the maritime jurisdiction extends.

Mr. HEREFORD. And so it has been held by the Supreme Court time and again—I read the authority here last session in the presence of the Senate—that any stream in the United States that was susceptible of being made navigable was a national highway, and no one knows it better than the Senator from New York. The doctrine which he invokes here to-day is the doctrine that obtained in England, where they have scarcely a river more than a hundred miles long. He talks about improving the commerce that is to go into the great lakes and into the great harbors. Has the Senator from New York yet learned the fact that the mighty West has rivers that carry more commerce upon their bosoms than all the foreign commerce of the nation? The Ohio River alone, as is shown by the report made to us, carries upon its bosom more tonnage than all the foreign commerce that enters the harbors of New York and Boston and New Orleans and all the others combined. The Ohio is simply one of the tributaries of that great stream, the Mississippi, for which Calhoun invented an expression, in order to come to the doctrine we are now advocating on this floor, when he called it a great inland sea. That carries upon its bosom also infinitely more commerce than all your harbors in the United States together. Are you going to stop the improvement of the Mississippi River? Would the Senator appropriate for improvements for the Mississippi River and deny money to improving the tributaries of the Mississippi River? Then of what use would the Mississippi itself be? The doctrine contended for by the Senator to-day, as applied to these small streams, as he terms them, would stop their improvement, and the effect would be the same upon the Mississippi River as if you were to stop the flowing of the water into the Mississippi itself from the tributaries which make up that Father of Waters.

The people in the interior, in the West, have a right to an outlet for their wheat, their corn, and all their other vast products. They ask that the streams shall be improved so that they may get them to market and not have to pay the exorbitant prices that are fastened upon them by the great railroad monopolies of the country. It is the various small streams and streamlets that make up the mighty rivers, and the people upon these interior rivers have as much right to have cheap transportation as the people living around the harbor of New York or Boston or New Orleans or Galveston or anywhere else. They form an integral part of this great country of ours, and their commerce goes to make up the mighty internal commerce which we have in the United States.

I am accustomed to this talk about making appropriations for national works. I shall not take the time of the Senate to read—I read them last session—decision after decision made by the Supreme Court of the United States that all these streams, small as they may be, if they do not lie entirely within one State, come within the national jurisdiction, and that the Congress of the United States has the constitutional right and power to make appropriations for them. Where is the river named in this bill that lies wholly within one State? Can the Senator from New York point me to one such river, unless it empties into a lake or into a harbor? Will he point me to one river in the United States that is confined to only one State? These various small streams connect with other streams, and those with the great water highways of the United States. You have no right to say that any one of these streams is not a national one. A stream in West Virginia empties into the Ohio River, the Ohio empties into the Mississippi, and so it goes on down to the Gulf. Where shall you say that any one of these streams shall stop, if that stream enters into another, and that into another? So all the waters in the great interior flow on to the Gulf, and persons living on the Gulf have the right to come up with their boats of various kinds and go far into the interior, and those living in the interior have the right to go down to the Gulf by reason of these smaller channels until they get into the Father of Waters, and thence to the Gulf, and they—one and all, small though they be—are entitled to the consideration of the Congress of the United States, and their commerce is entitled to the protection of the United States.

Mr. PLUMB. I move that the bill be recommitted to the Committee on Commerce, with instructions to reduce the amount to be appropriated to \$6,000,000, to be used for the improvement of rivers and harbors of national importance, and, so far as practicable, to the completion of improvements now under way, excluding all surveys for new improvements.

Mr. President, I do not desire to detain the Senate on this proposition. It expresses my views, whether it does those of any other member of the body or not. I think it is time we put some limit to these appropriations, not alone because the bill is \$10,000,000, although that is a large sum, but because the system of expending the money is absolutely vicious. There is not a suggestion or hint anywhere in this bill that any sum appropriated is to complete any improvement.

Mr. HEREFORD. The Senator from Kansas is very much mistaken. If he will allow me to say so, without intending to be offensive—for I cannot be so to the Senator from Kansas—he is utterly mistaken when he says that there is no provision in this bill for the completion of the improvement on any one work. He has not read the bill.

Mr. PLUMB. It takes an exception to prove a rule. There may be exceptions enough to prove the rule I have stated; but I do not know that there are. There may be a half dozen cases where it is said

to be to complete the improvement; there is one case I know where it is stated that the amount appropriated is to procure a certain depth of channel; but the fact is I do not believe there is an improvement of that kind in the United States that ever has been started that is not now under way. We put in this money, therefore, with recklessness because we do not expect returns; we throw it into the sand expecting it to be washed out. There is an absolute lack of responsibility, because there is nothing to be responsible for excepting the expenditure of the money. We do not attach any condition to the expenditure of this money, as, for instance, that any particular amount of work shall be done with it, that any improvement shall result from it, but we simply toss it over as we would a bauble to the Engineer Department and say, "Spend it, and then come back next year and ask for as much more as you have the assurance to put in your estimates."

I am in favor of appropriating money and appropriating money liberally for the improvement of rivers and harbors. If this bill were properly constructed according to my notion, I should not object to making the appropriation \$20,000,000 in place of \$10,000,000. If there was some system of expenditure whereby practical results could be obtained year by year, some improvement made which when made would remain permanent as a result of the expenditure, I should not object to that whatever the amount might be; but when it comes to putting insignificant sums into large improvements, appropriating \$10,000 when the estimate of the engineers is that it will take a million to complete the improvement, with no system whereby any kind of responsibility attaches to the expenditure, whereby Congress ever knows or is expected to know whether any result has been attained or not, it looks to me like trifling with the people's money. I am therefore opposed to it.

If some one will show me that the harbor of New York, or of Boston, or of Baltimore, or of Charleston needs a million dollars to make them what they ought to be the *entrepôts* of the Atlantic shore line of this country, I will readily vote for that amount of money to have that done and finished; and so with reference to the Mississippi River and with reference to any other improvement; but when it comes to putting money into little creeks for push-raft navigation to carry the tar and the turpentine and rosin and cord-wood that is gathered in the eddies along the stream, to clear out the springs that are its source because, as my friend from West Virginia says, it is part of the great Mississippi River, then I respectfully dissent.

Six million dollars upon the plan that we are now operating is abundance of money to spend; but if we could have, as I said, some system whereby, once spent, it should answer a permanent purpose, I would be perfectly willing to make it \$20,000,000, and it would not be too much; but this is an extravagance that breeds extravagance. It is simply a basis for further estimates, and since I have been here every river and harbor bill is a little larger than any one has been preceding, and at the ratio they are going on in the short time I expect to be here I have no doubt the amount will be double, and yet there will not be one single harbor in this country or one single improvement on any river that can be said to be finished—not one. They are like the daughters of the horse-leech; it is give, give, give; the more we give the more is asked to be given. I want to protest against it.

In the country in which I live we have streams which are a part of the great Mississippi, according to the theory here advanced; and if money enough can be put into them, if the Government will scoop out the bottom, or if it will jetty the entire streams from one end to the other, you will have not a push-raft navigation, not a navigation to carry turpentine and coon-skins, but a navigation which will carry the agricultural products of a million people, 40,000,000 bushels of wheat, 200,000,000 bushels of corn, and other things in proportion, and that is what cannot be said for three-quarters of the improvements that are appropriated for in this bill. The commerce which is tributary to these streams which in any way floats over them or ever will float over them is absolutely insignificant compared with that of the section of country of which I have spoken, and yet it is so insignificant, I will not say in extent but in the representation upon the committee in power in this body, that it receives no consideration whatever.

Mr. MORGAN. I am not, for one, willing to have a disposition imputed to me to kill the bill by voting for amendments, because I recognize my obligation to exercise some discretion in voting for objects in the bill.

The Senator from Delaware and the Senators from Oregon have spoken of the importance of the Columbia River, and have risen in their places and have stated the most urgent reasons why the appropriation for that work should be increased. The members of the committee, instead of undertaking to answer these facts or to show that they have formed a judgment in reference to that improvement in which they cannot be mistaken, undertake to charge other Senators with a desire to load the bill with a view to its defeat.

If I were going to give advice to the honorable Senators who compose that respected committee, I should say to them that the best way to secure the life of this bill is to unload it so that it may live and the country may live. The people will be in entire harmony and sympathy with them, if they will just assume a bold position and take the high ground stated in the resolution of the Senator from Kansas.

There must be some principle in legislation. There cannot be any proper legislation which is not based upon some principle that we

can justify before the world, and there is not a principle running through the whole of this bill that will enable any Senator to rise on this floor and declare that every appropriation in the bill is necessary for the public welfare.

Mr. FARLEY. I should like to ask the Senator from Alabama if there is an appropriation in this bill that has not been estimated for by the engineers or the Department?

Mr. MORGAN. I believe there is not; and yet how easy it is for the engineers of this Government to make for themselves nice little civil employment all over the country by being connected with works of internal improvement. We direct them to make estimates, and they do estimate; and in making their estimates they provide for themselves pleasant places all around in the hills and mountains, where they can live out of the reach of malarial influences, and have the benefit of trout streams, and so on, for their own comfort. I have not a disrespectful word for the engineers; but I see behind their action some very powerful considerations.

Mr. TELLER. I sympathize with what the Senator has said, and I wish to call his attention to the fact that these estimates are made necessary by bills of this character. We instruct the engineers to make estimates; they send them here; and then we fall back behind the estimates and say because they have made them therefore they must be necessary. The third section of this bill requires them to make surveys and estimates of a great number of small streams.

Mr. MORGAN. Of course. I am not blaming the engineers for making the estimates, nor do I blame them for undertaking to provide for themselves comfortable places, and especially comfortable employment out of the field where they might otherwise be sent. I am not finding fault with the engineers. In the main I think they are a very honest and high-minded set of men. But because they have made estimates under our direction to reach works that are not advantageous to the general commerce and welfare of the people of the United States, there is no reason why the Senate should take the money out of the Treasury and make such appropriations.

Mr. BUTLER. May I ask my friend a question?

Mr. MORGAN. Yes, sir.

Mr. BUTLER. I ask if he thinks the engineers of the Army in their estimates would recommend the improvement of streams unless there was some necessity for it in the interest of commerce?

Mr. MORGAN. If the engineers of the Army comprised the Senate they would have the right of final judgment on that question, but they do not.

Mr. BUTLER. The Senator has not answered my question. The engineers have nothing to do with the Senate except to make recommendations. I ask him if in his opinion the engineers of the Army would make recommendations for the improvement of streams which were not in the interest of commerce?

Mr. MORGAN. I think they have done it in many instances, estimated for the improvement of streams that are not in the interest of commerce. A great many, perhaps the majority, of the recommendations they make of that kind are upon streams which are not in the interest of commerce; but because they make their estimates, does that constitute them the judges of the necessity of the case, and are we obliged to follow them merely because we have given them the opportunity or made it their duty to look over certain streams that we designate and make their report upon them? No, sir; we must not abdicate our rights and duties to the country because engineers may be honest and may be able and may be capable when we may differ with them in reference to the general advantage to result from the proposed improvements to the commerce of the country.

I know that this subject has engaged the attention of the ablest men of the United States for a great many years, and there has been a great variety of opinions as to the constitutional boundaries of the authority of Congress in this connection. I do not propose to argue upon that point, but I wish to call the attention of the Senate to an act that was passed on the 18th of May, 1796, in relation to rivers in the public lands of the United States, now by far the largest portion of the area of the territory of the United States. That act, as embodied in section 2476 of the Revised Statutes, is:

All navigable rivers, within the territory occupied by the public lands, shall remain and be deemed public highways; and, in all cases where the opposite banks of any streams not navigable belong to different persons, the stream and the bed thereof shall become common to both.

There was a declaration of the jurisdiction of the United States over that portion of the property then contained within its borders or since acquired, so far as the right of property is concerned. In 1796 Congress declared that streams which were then navigable should remain public highways. I do not doubt the power of Congress, constitutionally, to improve such public highways; but where they were not navigable the lands on the opposite borders of the stream go to the owners, with a right to the river and to the bed, says the statute, to be divided between them. Here, then, was a grant by Congress of the absolute property in these streams which were not then navigable, so that a man who entered a tract of land in the Land Office of the United States, and his neighbor who entered a tract on the opposite bank of a stream that was not navigable when that act passed, acquired the right, under the language of the statute, to the river and also to the bed of the stream.

We are pushing enterprise on this subject away beyond the line of original navigability of these streams. We are extending it as far

as we choose to go, and in extending it we are obliged to intrude upon private property that we have granted under an act of Congress to the owners of the shore. I would like to know how a Senator can justify a vote of that kind until, in compliance with the Constitution, he has first condemned that river and the bed of it to public use? It is as much the private property of these men who occupy its different banks as any gentleman's private property about his house is his—granted to him by an act of Congress—an irrevocable grant, which no lawyer can dispute. We are ascending these streams day after day and year after year with our enterprises of improvement and deepening the river and the bed that we granted to the owners of the shore, and improving them for the public benefit without making the slightest allowance to the owners for the condemnation of their property to public use. It seems to make no difference where the constitutional boundary of our authority may be; we are fenced off by an act of Congress which has conferred private rights upon these people that under our Constitution are absolutely inviolable.

I do not know whether this honorable committee have taken into consideration this act or not; but I know that there are many streams now under improvement and many whose improvement is provided for in this bill, that at the time of the passage of the law of 1796 were a part of the public domain of the United States, and have passed by grant of Congress into the hands of private individuals.

But, sir, it seems now that because men claim the right to float their produce on streams that can be made navigable, we are to go to work and empty the Treasury of the United States to make them navigable; and what is the argument for it? They have as much right to float their produce and their commerce down these streams into the Ohio River, into the Mississippi River, as men who live upon the banks of those streams which are navigable; and from that is deduced the duty of Congress to provide transportation over private ways and private property in favor of the communities that are not blessed with the advantages of large streams.

Sir, if we can do that, we may go upon the shore and build turnpikes and macadamized roads and railroads, because the policy justifies the expenditure, and the policy is that the people must be enabled to get their produce to market cheap. Then it is the duty of Congress to provide all the facilities that the people may want for that purpose. There cannot be any answer to the logic of that proposition, it seems to me. Congress ought to put a boundary upon its line of action in this direction, and it is time that we had stopped and considered. The honorable Senator from Kansas, [Mr. PLUMB,] I fear, is too late with his motion. I will vote for it as a declaration of a principle, but that honorable Senator must know as well as the rest of us that these bills always reach our attention at the close of the session and when time enough is not allowed for their consideration; and now the committee come in and say that it is their order that they will move to lay on the table all amendments which increase an appropriation. The committee have not only assumed the right to declare for the country what works shall be improved and what amount of money shall be put upon this, that, and the other work, but they have said that they will put us under the necessity of taking a gag rather than they will let the merits of the subject be discussed, and rather than they will allow a direct vote to be taken upon each appropriation.

Sir, a truer remark was never made than that uttered by the honorable Senator from Kansas when he said that the distribution of money between these different objects of internal improvement was that which most of all was injurious to the country under the provisions of these bills. I regret that I cannot support this bill. I regret that it has not been brought in by the committee to the satisfaction of those members who desire to have the public money appropriated for the general welfare. I have had to encounter opposition here and elsewhere, and oftentimes severe censure, in my efforts to check this extravagant, wasteful, and injurious legislation. Every Senator on this floor knows—none can deny—that these bills are framed by combinations of different interests and different localities in the United States, not upon propositions that relate to their actual merits, but they are framed with reference to bargains that are entered into, so that "I shall get this and you get that." I do not state these facts with a view to censure this committee or the Senators who support this bill; but I state them as matters which have attended the history of this legislation at least for the last twenty years. Not only in Congress, but in State Legislatures, is this evil to be found; but I hope some day to find a committee of this body which will at least be willing to rise and announce a principle which shall control our action in reference to these matters of public expenditure.

These bills ought to be divided into three classes, one relating to harbors, one relating to rivers that connect two or more States or bound two or more States, and one relating to those rivers that are entirely within the territorial area of a particular State. Then we should have a chance to compare each part of each of the bills with its own provisions, and should not be compelled in order that we may have work done which is advantageous to the commerce of the entire country to find ourselves saddled with many appropriations, not one of which commends itself to our judgment or our conscience.

I desired, Mr. President, in this brief manner to define my position, if I could, upon this question, so that those who desire to criticize my conduct may understand the reasons for my action.

Mr. TELLER. Mr. President, I do not intend to enter into any

lengthy discussion of this bill, because, as suggested by the Senator from Alabama, I suppose it is a foregone conclusion that this bill is to pass, and to pass substantially in the way that it comes from the committee. Since I have been a member of the Senate I have noticed that these bills pass substantially as they come from the committee, and if the Senate takes the liberty of dealing with the subject by putting in amendments a committee of conference always drops out the amendments.

It is said with an air as though it was an entire answer to every objection made to the bill that Government engineers have recommended these appropriations and that we are to carry out the suggestions made by the officers of the Government in the interest of commerce; and one Senator asks another if he thinks the Government engineers would so far forget their obligations to the Government of the United States as to recommend an appropriation that was not just the thing. Why, Mr. President, in the third section of this bill there are eighty-four different objects for which the engineers of the United States are instructed through the Secretary of War to make an examination and report to the Senate; and that we have been doing every year since I have been a member of the Senate, and I suppose very many years before. They go out under our direction and send us reports saying that a little bayou, a little stream, a little rivulet, a little depression in the country somewhere, that flows into the sea or flows into some other stream can by the expenditure of money be made a navigable stream; and if it can be they come here and tell us about how much money they think can be expended upon that to make it a stream, and how much ought to be spent; and then the Committee on Commerce take that report and look it over; but they are never governed by that; they never make their appropriations in accordance with the recommendations of the engineer. They make them just in accordance with the interest of the various members of the respective committees consulting sufficiently with the interest of the Senate to see that they can manage to secure the adoption of the bill.

Since this bill has been under discussion I have been told by one Senator that the engineer in charge at the city of Charleston has said that \$600,000 could be economically used in the completion of the work which the Government has undertaken at that harbor. We find in this bill \$175,000 for that work. Why not appropriate \$600,000 for that magnificent harbor? Simply because if they did that they must leave out Duck Creek in Delaware, or some other little stream of no importance; or else the bill would be so great that they could not pass it through the Senate.

It is said by the Senator from Alabama that there is no principle upon which this committee goes. I think he is mistaken about that. I think they go upon the principle—and I say it with all due deference to the committee—of securing a majority of the Senate, for unless it is for that purpose it is utterly incomprehensible why they should have inserted some of these streams and made appropriations of \$1,500, of \$2,500, and sums of that character for engineering operations which it is said by the engineers will cost ten, fifteen, twenty, and in some instances one hundred times what they have appropriated. A man with common, ordinary acquaintance with engineering work, a man who has ever given it any attention at all, knows that it is nonsense to start a work which is estimated to cost \$50,000 with an appropriation of \$4,000 or \$5,000 or even \$10,000; it is a waste of money; and yet they come here and put in this river \$5,000 and on another river \$2,500, and on another \$3,500, and on another \$1,500, and so on through the bill, until they have run up a sum so vast that the great harbors of the country and the great rivers of the country are left without appropriate and proper appropriations.

Mr. President, I find in this bill that we are entering upon a new system now. It is not enough that we are to dig out rivers where nature has put them, and if there is water use them, but now we are to proceed to build reservoirs, fitted to store the waters at the head of the Mississippi or the tributaries of the Mississippi, and money is appropriated in this bill for the first experiment of that character, and it is provided that we shall condemn the land and pay the damages that the people who own the land suffer in consequence of this appropriation by the Government.

Mr. MORRILL. And to build boats.

Mr. TELLER. And to build boats says the Senator from Vermont. There is an appropriation in several instances for the building of boats. I admit that the building of a snag-boat upon some of these great rivers, and its operation, would be perfectly legitimate, and that it ought to be done, but not upon all these rivers.

Then in this bill there is another feature. There is a million dollars appropriated for the purpose of leveeing the Mississippi River. Do Senators think how much that experiment, now started out, is going to cost?

Mr. McMILLAN. I do not understand that there is any such provision in this bill. It is expressly provided that there shall be no such appropriation.

Mr. TELLER. That appropriation is in the bill.

Mr. McMILLAN. If the Senator will refer to it, I shall be obliged to him.

Mr. TELLER. I do not need to refer to it; the Senator from Minnesota knows it is in the bill; everybody knows it is in the bill unless the Senate committee struck it out and they did not strike out anything, but they put in various things.

Mr. JONAS. Will the Senator—

Mr. McMILLAN. If the Senator will allow me to read him the provision with reference to that—

Mr. TELLER. I decline to be interrupted by a speech.

Mr. McMILLAN. I should like to read the language of the bill if the Senator desires information on the subject. This is the proviso:

Provided, That no portion of the sum hereby appropriated shall be used—

Mr. TELLER. I decline to be interrupted. I know what the Senator is going to read.

Mr. McMILLAN. I thought the Senator wanted to understand the facts in regard to this point.

Mr. TELLER. The bill provides that no portion of the money appropriated for the Mississippi shall be used for the purpose of preventing an overflow, or that is the meaning of the language; but the report of the Mississippi River commission and the reports of the Government engineers made for years past show that this is for the purpose, not of protecting the navigation on that river, and not for the purpose of keeping the water in the channel, but for the purpose of levees. That is the object, and that will be the effect.

In 1875 the Government engineers made an estimate for the commencement of this expenditure. They commenced with Cairo, at the mouth of the Ohio, on the Mississippi, and they went on to state what should be the size of the levees from that down a distance of several hundred miles, how many feet they should be, and all of these levees are forty or fifty feet above low water, and every man familiar with the Mississippi River knows that you do not need any assistance in high water upon that river. These engineers say in their report in 1875 that this expenditure for a portion of the river, and a portion of the river only, will be \$50,000,000. Now, it will be many times more than \$50,000,000. This effort, if it is carried out, of leveeing the Mississippi River in the pretended interest of commerce, will cost the people of the United States more than a thousand millions of dollars, and it may be said, as the Senator from Minnesota says, that to accomplish that is not in the interest of the property owners on the river, because the bill so alleges; and yet an examination of the report of the Mississippi River commission and the reports of the Government engineers will show that every one of these levees is from thirty to fifty feet above the low water of the river, and that none of them can, in the nature of things, confine the river to a channel that shall give vessels a sufficient amount of water during the low stage of water in that river, and nobody ought to know it better than the Senator from Minnesota, who is a member of this committee.

Mr. President, that is not enough, but the committee have provided in this bill that it shall be the duty of the Government engineers to go around and find where they can make and create more water. They are to examine all the head streams and see where ponds can be built and where dams can be erected for the purpose of increasing the water supply during a portion of the year; and for the Mississippi River we have \$2,600,000 appropriated in this bill, a million of it not for the purpose of promoting commerce, but in the interest of the owners of the property on the banks of the great river. I do not object to the appropriation of two millions and a half or three millions and a half on the Mississippi River. It is a great highway from State to State and it carries upon its bosom the great commerce of the Northwest; but I do object to millions of money being expended in an effort that will not increase its capacity for commerce, but will eventually compel the people of the United States because of this great expenditure to abandon all efforts to protect the commerce on this great river, and the friends of the commerce of that river ought to be the last men to come here and propose such a wild and extravagant scheme as is contained in this bill, and is supported by this Mississippi River commission, not as they say, and they do not pretend to say, in the interest of commerce, but for the purpose of confining the waters of that river.

Mr. President, I went to the Library and I got a map, but I find in this bill stream after stream appropriated for which are upon no map in existence in this country. I am free to admit that there is no good hydrographic map of the United States; but it will be a remarkably good map, better than ever was made in any country that I know of, that shall be able to enumerate all of these little rivulets and streams by name. Appropriations are made for streams in this bill that the committee knew the engineers could not find if they did not provide in the bill that they were water-courses between certain named villages and cities and towns; and yet we are told if we attack this bill that we are not in favor of protecting the commerce of the country!

I think, Mr. President, that it is safe to say that more than half of this bill, now aggregating \$11,600,000, is for streams the appropriation for which has no warrant under the Constitution. One-half these appropriations Congress has no right to make unless we adopt the theory that we may appropriate for any purpose if we will only label the appropriation as in the interest of commerce. Take the State of West Virginia. We heard one honorable Senator state, who is a member of the Committee on Commerce, that these rivers reached away out, and they had mouths that ran into some other river that reached to the sea. Now, take the Elk River and take the Little Kanawha River, and we find that there is an incorporated company which has fixed itself on the mouth of the latter river, and every vessel that goes up the river pays toll to it, and the committee come here and

they guard the appropriation, as they guard the Mississippi levee matter, by saying that a vessel that goes up that river shall not pay any toll on that part of the river above the dam, above the locks, above the toll-gate, where the Government of the United States applies its money; but to get into the river, to get into its mouth, to get the advantage of the Government benefaction and beneficence that we are putting out in this bill, it must pay to that corporation a toll. Thus the Government is making a highway of that kind for the benefit of a corporation, and that is not the only one.

The Monongahela River is another. The Monongahela River has also a corporation that has fixed itself on the mouth of the river, and there they sit down and tax the commerce that comes into the river, and the Government of the United States makes the river above and then they get out of it in the same way by saying, "You need not pay for the use of that portion of the river that the Government is at work upon." Why, Mr. President, there are rivers here that every man who has traveled through the country knows can never be made navigable. You may put millions and millions upon the Allegheny, the Monongahela, the Little Kanawha, the Elk River, and other rivers of that character, and they never can be made navigable.

Since I have been in the Senate West Virginia has taken from the Treasury, I think, a million dollars for its rivers, and not one of them falls within the purview of the law which authorizes us to vote money to rivers, to clean them out, and to make them navigable—not a single stream in the State, in my judgment. I do not object to West Virginia having something; if the other States are to have it, then let West Virginia come in. I find in old Virginia the same thing; I find in North Carolina the same thing; I find the same thing all over the country where a stream is big enough, where they can find an engineer who has hope enough in his constitution to believe that the great Government of the United States, if it will only put itself to work at it, will be able to put in the money. Why, Mr. President, the Fox and Wisconsin Rivers are in here with \$200,000. We have spent upon them, I have not any doubt, \$5,000,000, and if the improvement was put up and sold to a corporation and it allowed to take toll, I doubt whether it would bring \$500 in the market. It is a waste of money and it is a waste of opportunities, because the same money could be taken and put upon some streams and upon some harbors and they be thereby made available.

I will not object, as the Senator from Kansas said he would not, to \$10,000,000 or \$20,000,000 if you expended your money in the interest of commerce. I have never objected to the great expenditure of money at the mouth of the Mississippi River, and I am ready to vote for more in that direction. I should vote to take out the falls of the Ohio River; I should vote for canals around impassable falls in rivers of that character; but I object to voting for these little streams in Maryland, in South Carolina, in North Carolina, in Virginia, in New York, and in other sections of the country. I think it is a misapplication of Government money. I would vote money for the harbor of Charleston. If it was required by the engineers, I would vote \$1,000,000 in a single year if it would answer the purpose for which it was to be expended, to complete that harbor. I have said before—and I say it with some knowledge, for in my early life I gave some attention to the question of engineering, and I know something about it—that it is a fundamental mistake we make in making these appropriations that we go on by piecemeal. I say we ought to look at the big rivers and say, "Here now is a stream; how much will it take," and appropriate just as much every year as can be used for that stream economically and properly; and not appropriate for the other streams if you are not able until you have accomplished that work, and then take up works of the next importance and carry them forward to completion. We do not do that. We fritter away the money in fruitless efforts to make a stream navigable with an amount of money that is not at all suitable.

Mr. President, I have said this much against this bill. I have said it without the slightest idea that it will cause a single vote in the Senate to be changed. I know that Senators come here anxious to secure something for their States. I know how difficult it is for them to escape. When the State of West Virginia gets \$350,000, the Senators from Virginia cannot well sit by and not get something for their State. The States of South Carolina and Georgia get something, and then North Carolina must have something also for similar purposes. But when the great river of the West that floats more commerce than a hundred of these little streams asks an increase of appropriations, asks as much money to open its mouth as you waste every year on the Fox and Wisconsin Rivers, then the committee with the power that we have given committees (which I repeat as I have before said is used frequently to the abuse of legislation) stand up and call their friends to the rescue, and they say to the friends of the bill "Vote to lay the amendment on the table," and the friends of the bill, having got everything in that they think they need, are afraid to vote it down, and without any reference to the merits of the case the amendment goes upon the table. Thus the commerce of the country is suffering that a few small, insignificant streams may have the expenditure put upon them, and come out no better when they get through than they were before.

I will venture the assertion that there is not a respectable engineer in the United States who will stand up and declare that there is a river which is navigable in the United States that can be permanently benefited by the expenditure of \$2,500, and yet you have given as

low in this bill as \$1,500 on some of them, unless it may be as I am told that some of this money is used to cut down the overhanging limbs that hang down on the water of some of these streams. In that way you might possibly get a little benefit that would last for a year or two until the limbs grew out again.

Mr. President, if this bill is to pass, I am for putting to it just as much as is necessary for the commerce of the country or to satisfactorily do the business of these great rivers. If this bill is to pass, I would rather it should pass with a million more, if that million is to be used for a proper and suitable purpose. I am in favor of \$70,000 for the mouth of the Columbia River. I have taken some interest in it. I have been upon its headwaters, and I know it is not for the State of Oregon alone. Upon the head of that river are great communities, new States growing up, Idaho and Montana, and other regions of country are benefited as well as Oregon. I would rather expend enough on the mouth of that river to make it a good enterprise; that is to say, I would not put ten, fifteen, or twenty thousand there, but I would put \$150,000 if \$150,000 would make it a permanent waterway and enable the great vessels of the coast and the vessels that trade with foreign countries to go upon that river.

The honorable Senator from Oregon said to us that \$6,000,000 of exports went out of this river's mouth last year. I can pick one hundred items out of this bill where \$6,000 of exports never went out, in my judgment, in a single year. The other day somebody told me that in one of these great engineering feats, that doubled the water in a river down here, it was twice as deep as it was the year before, and I asked, "How deep is it?" He said, "Last year it was a foot; this year it is two feet;" and that is about the way it is. A little while ago the committee reported an amendment for the harbor of Wilmington, on a river in North Carolina, and my honorable friend, the chairman of the committee, said that it was a very proper and worthy object; and I looked over the report of the engineers and I came to the conclusion myself that it was a worthy object.

The engineer said it was a proper expenditure of money, and he could get eighteen or twenty feet of water. How much did he want? He says for twelve feet of water you want \$200,000 this year, and for fourteen feet you want \$400,000, and for eighteen feet you want \$700,000, and for twenty feet you want \$1,000,000. If you want that, you want it now. You do not want part of it this year and part of it the next. It belongs to that class of streams where an expenditure made in detail, in piecemeal, a little now and a little next year, will do no good. I presume the \$100,000, or whatever it is that is added to the sum already put in by the House, may be available and may help it some; but if the chairman of the committee had sat down and said, "Here are the little streams in this State that ought not to be in;" and if he had stricken those out, and then had put the whole upon some port upon his coast, nobody would object; but I suppose the trouble would be when it went back to the House every member who lived in the districts where these streams are supposed to be would find fault with the bill, and probably would rather see it fail than become a law.

When I rose I did not intend to speak upon this bill at any length. I meant simply to enter my protest against the bill, and to give my reasons why it ought not to pass, and why in my judgment, anxious as I am that the great national harbors and great national rivers should be taken care of by proper appropriations, I believe it is better that we should sit down upon these things and beat this bill, and let them go another year, than that we should adopt a principle that is so pernicious and that is reaching so far.

A few years ago \$5,000,000 was considered an outrageous sum for a river and harbor bill. To-day it is twice that and more, and by next year it will be more and more, until by and by the people who pay the taxes will declare that they do not intend to vote any more money at all, and men will come here instructed to vote against a river and harbor bill, and then the great river that my friend from Minnesota is so anxious about and the great harbors upon the sea-coast will be left without the appropriations that they ought to have in justice to the whole people of the country.

Mr. McMILLAN. Mr. President, it is not my purpose to enter upon a general defense of the river and harbor bill. If any such defense is necessary, I shall leave that to the chairman of the committee, but some remarks have been made by Senators which I deem it proper to refer to briefly.

The Senator from Alabama [Mr. MORGAN] has said that under an act of Congress passed in 1796 the land upon the banks of the streams of this country which were not at that time navigable streams are the private property of the owners of the soil. I suppose that the Senator from Alabama has paid some attention to the decisions of the Supreme Court of this country, and if he has he will know that the owner of land upon the banks of the navigable streams of this country according to the last utterance of the Supreme Court do not take to the center thread of the stream. It is true the decisions of the Supreme Court are not uniform upon that subject; but the last decision of the Supreme Court settles that question adversely to the doctrine uttered by the Senator from Alabama upon the floor of the Senate.

With reference to the admiralty jurisdiction of the United States over the navigable streams of this country, the same high tribunal has determined that the Government of the United States has exclusive admiralty jurisdiction over any stream that is navigable to any

extent, so that the several States of this Union can pass no law affecting the rights of their citizens in regard to steamboats navigating these streams. No attachments can be issued by a State court; all these claims must be enforced through the Federal tribunals, and the jurisdiction of the United States courts, as I have said, is exclusive. Then, with reference to the character of the appropriations made in this bill, it comes to us from the House of Representatives, and we are to act upon it as it is presented to us. At the first session of this Congress the Senate and the House of Representatives passed an act of Congress organizing a commission to examine the Mississippi River and make a report in regard to that stream. That board of commissioners have made a report. They have recommended certain appropriations. Among these appropriations is \$1,000,000 for the Mississippi River from Cairo to the Gulf of Mexico, and that item of \$1,000,000 is altogether independent of the ordinary improvements upon the river to that extent.

Mr. TELLER. I would ask the Senator if he has not made a mistake in saying that it is to the Gulf of Mexico.

Mr. McMILLAN. It is limited.

Mr. TELLER. The million-dollar appropriation is limited to one hundred and eighty miles.

Mr. McMILLAN. No—

Mr. TELLER. If you follow the suggestion of the commission, the commission say that you want \$5,000,000 and over this year.

Mr. McMILLAN. However, the appropriation of \$1,000,000 is made and is incorporated in this bill, and that is an item which has never before been embraced in a river and harbor bill. That accounts in part for the large amount of this bill. It is not an increase of the ordinary appropriations for the streams in the country. The Senators who voted for the law providing for that commission, of which I was not one, accept their report, and it is in this bill. It is the item to which the Senator from Colorado refers as embracing an appropriation for the construction of levees; and as he would not hear me read the proviso in the appropriation I will now take occasion to read the proviso qualifying the uses for which the appropriations are made:

Provided, That no portion of the sum hereby appropriated shall be used in the repair or construction of levees for the purpose of preventing injury to lands by overflow, or for any other purpose whatever except as a means of deepening or improving the channel of said river. And it shall be the duty of said commission to make report, on or before the 1st day of January next, to the Secretary of War, for transmission by him to Congress, of a detailed statement of the work done, and of the expenditure made from the sum hereby appropriated, with their judgment upon the effect of such work, and the general practicability and estimate of the total cost of such improvements along said river from Cairo to the head of the passes.

Expressly excluding the application of this money to the purposes for which the Senator from Colorado said it could be used, as I understood his remarks on the floor of the Senate.

Then with reference to the reservoirs upon the Mississippi, that is an item in the bill as it came to us from the House. So far as appropriations relating to the State of Minnesota—which I have the honor in part to represent upon this floor—are concerned, no remarks which have been made criticising the character of the appropriations can apply to my State. They are all embraced in harbors upon Lake Superior, one of the great bodies of the country, upon the Mississippi River, and upon the Red River of the North, not only an interstate system but an international system flowing from our own State along its border into the British possessions. I may therefore speak I think without prejudice in regard to these questions. This system of reservoirs has been the subject of examination by successive engineers for the last twenty years, if I recollect the time correctly. Able, eminent engineers have passed upon that question, have examined it accurately, have spread their reports in detail before the country, and they command the approbation of the best judgment in this country that if this improvement is made the navigation of the Mississippi River down to about Dubuque will be greatly improved. These are the items that have been criticised here.

Then with reference to the fact that these appropriations are all based upon estimates from engineers of the Army of the United States made to Congress, these streams have been examined by these officers; they have reported carefully to Congress, and the appropriations are all based upon their reports. I take it, under these circumstances it cannot be complained of the committee that we have acted upon representations from officers of this character. So far as I am concerned I am willing to rest my judgment upon their reports. If they are not to be followed then they should not be made; but with all the appropriations that are contained in this bill I find none that do not come within the class of appropriations recommended by the engineers of the country.

Mr. TELLER. I want to call the attention of the Senator from Minnesota to the fact that he was slightly mistaken in stating that \$1,000,000 was recommended by the commission from Cairo to the mouth of the river.

Mr. McMILLAN. To the Passes.

Mr. TELLER. If the Senator will look at the report of the commission he will find that the New Madrid reach, six hundred and forty miles long, was said to require \$923,000; Plum Point reach, thirty-eight miles, \$736,000; the Memphis reach, sixteen miles, \$382,000, and so on, so that there is \$4,113,000 there. Then, for closing gaps in levees \$1,000,000 more, and this does not include the harbor at New Orleans and the harbors at Memphis and various other places, and has nothing in the world to do with the mouth of the river.

Mr. McMILLAN. Here is the appropriation; the Senator can see it.

Mr. TELLER. It makes no difference what the appropriation is; the Senator said they had appropriated what this commission declared was necessary. They have entered upon this work of carrying out the order of the commission, and the commission demand to start with \$5,000,000 right off; and yet the committee only give them \$1,000,000. If we are to go into it at all we might as well give them the \$5,000,000.

Mr. BROWN. Mr. President, I have no doubt that there are some appropriations in this bill that ought not to be made. You will probably never pass one without some such appropriations, but in so far as the general objects of the bill are concerned I cordially approve of them. Senators say we have reached a point where we propose to appropriate say \$10,000,000 for these objects, and that appropriation is too large. Fifty years ago when \$1,000,000 was appropriated it was not regarded very large, and yet it was infinitely larger than \$10,000,000 or even \$20,000,000 are now. The old democratic doctrine I am aware was that we were to oppose internal improvements by the General Government, and yet such appropriations were made, I believe, at almost every session of Congress; and it is not now worth while to discuss that doctrine, whether it was right or wrong. A different practice has obtained for half a century and now prevails, and will continue to prevail. The future welfare of the country requires it. The future prosperity of the country demands it; and the people will require it of their representatives.

Fifty years ago there was not \$1,000,000 a year invested in the construction of railroads. This year there will probably be more than \$50,000,000 invested in building railroads in the United States. We will expend this year in the repairs, in additions to the equipments, and in the operating expense of railroads nearly four hundred million dollars. We have not quite ninety thousand miles of railroads. We have in the United States over thirty thousand miles of navigable streams, one-third as great a distance in length as the whole railroad system of the United States. Yes, we have 30,000 miles of great natural highways already built, that only need repairs to make them of immense value to the whole people of this great country.

The people pay annually nearly four hundred million dollars for the repair, improvement, and operation of railroads. In other words, they pay this enormous sum for railroad transportation, which carries their productions to the market, and brings back to them in turn the productions or manufactures of other countries or places which they require for their use or comfort. This looks like an immense sum, and so it is, to pay to the railroad corporations of this country. But we must recollect what they do in return for it. Let it be borne in mind that nearly all the merchandise of this country, of every character, is moved by railroad transportation.

In 1880 our exports to foreign countries alone amounted to \$835,638,658, and our imports from foreign countries amounted to \$667,954,746. Add the two together and you have an aggregate of \$1,503,593,404 worth of exports and imports handled during the last year almost entirely by the railroad companies of this country. Let it be borne in mind that these are foreign exports and imports. Then the railroad companies have moved probably a still larger amount of internal commerce from one section of the country to another, from one State to another, and from one city or town to another, making probably three to four thousand million dollars' worth of produce moved by them for the convenience and profit of our people. This country has reached enormous proportions in its business. It has become a giant. And while its people pay very large sums for the transportation of their produce and merchandise, they make in return large profits in the aggregate which they could not make if it were not for the facilities of transportation afforded them by our railroad companies.

When this vast amount is expended annually and profitably by our people for railroad transportation, is it to be regarded as something marvelous if the Congress of the United States appropriates ten million a year to the improvement of the 30,000 miles of navigable streams within our borders, to say nothing of our harbors, which must be improved to facilitate foreign commerce? The amount expended for the improvement of our natural highways and channels of transportation is insignificant when compared with the amounts that are profitably expended in the construction and operation of artificial highways and thoroughfares of transportation. People complain very much of the monopoly of railroads and of what they call the oppression of railroad corporations. And that feeling seems to exist to some extent in the Senate. Has it occurred to Senators that the best way to free ourselves from those monopolies is to open everywhere our rivers and harbors and make them free to the transportation of the productions of every valley in the country that is tapped by one of them? As long as your rivers are sealed up the railroads will continue to do the carrying business of this country, and they will continue to combine, but when you have opened these rivers and harbors, and especially the interior rivers, so that there is an open natural highway from a port or a city where there are a half dozen railroads in combination, you at once have an independent outlet for the productions of that section. Therefore, in fact you are making a very small and insignificant appropriation for rivers and harbors as compared with the expenditure that is annually made for railroad transportation.

What has been the result of all this immense increase in facilities

for transportation? There has been an increase of the wealth and population of the country that has been absolutely astounding, one that is unprecedented in this country or in any other. Suppose you blot out the railroad system and refuse to make appropriations to rivers and harbors, what would be the condition of this country? Where is the wealth of it then? Where is your progress? Where is your boasted prosperity? Where is the immense balance of trade that is now in your favor? You would be set back half a century. You would then be literally treading in the footsteps of the fathers. You would be conforming to the old democratic usages, about which we sometimes hear eloquent periods here and elsewhere by those who forget that the world moves, and that we live in a different era from that which existed fifty years ago.

Senators should not be alarmed at a ten-million-dollars appropriation to improve our great natural highways, and democrats need not be alarmed at it. I have been told in this body frequently that this is a democratic Congress, and we must not enlarge these appropriations; that we cannot afford to do it; that it may injure the democratic party if we do it. If I controlled the democratic party and desired to popularize it, instead of \$10,000,000 a year for the improvement of these great natural highways, I would appropriate \$25,000,000 a year. I would see that it was judiciously expended where it was needed, and I would popularize the democratic party or any other party that sustained me by doing it. The increase in the business of the country which would result from it would pay it back from year to year with accumulated interest, and our people would rejoice in the new impetus given to their growing prosperity.

I am not afraid, then, of the size of the appropriations. The only question is, are they wisely made, and for a proper object? If so, then I am prepared to vote for the bill. Whether you call it democratic doctrine or republican doctrine or the doctrine of the independent party, I care not. The question is not how it affects party creeds, but how it affects the general welfare of the people of the United States.

But it is said that great injustice has been done by the committee in this case. I presume it is something like the same that every committee does. A member of the committee has better knowledge of the immediate wants of his own State and his own section, and it is probably not strange that he gets more for his own State and section because he believes it needs it more. The action in the House of Representatives is an illustration. I believe North Carolina was not represented on the committee of the House. She got, as the bill that came from the House shows, not a very large share, an inadequate appropriation for the actual wants there; but when the bill came to this body, where the honorable chairman of the committee is from North Carolina, he knew the needs of that State, and he doubtless laid them before the committee, and the committee favorably considered them, and they increased the appropriation for the State of North Carolina by the sum of \$229,000, while the State of Georgia only gets \$165,000 all told, counting one-half of the appropriation for the Coosa River, which is nearly all in Alabama. It runs fifteen or twenty miles below Rome, the head of it, where the junction of the other two rivers forms it, into Alabama; but counting half of that to Georgia, we have \$165,000 in all for that State.

North Carolina got an increase in the Senate of \$229,000. But I have no doubt North Carolina ought to have every dollar of it. I do not presume the honorable chairman has put anything in the bill for North Carolina that ought not to be there. Much has been left out, however, that ought to be in it for other States. I think it is not quite liberal in the committee, after reporting the bill in that condition, to come before the Senate and propose to lay it upon the table and prevent discussion every time we offer a necessary amendment. They must remember that a good number of the States were not represented on that committee; that there was nobody who knew the interests of those States as well as the committee-men knew the interests of their own States. Therefore I think they ought to look with a little toleration on our motions here to amend the bill, where the amendments are obviously proper; and I protest against the illiberality of motions to lay proper amendments on the table and thus cutting off debate, as has been attempted in two or three cases when a meritorious amendment is offered.

Some of the Senators, however, have said that these amendments ought to be made with reference to the commerce and business of each State. If you adopt that rule my State compares very favorably with North Carolina, and it would have been entitled under that rule to a larger appropriation even than North Carolina, and she does not get probably what she ought to have in this case. And I make this remark to show that if I should happen to ask for a little more for Georgia than some of the other Senators are asking for their States, I ought to be heard, and the chairman of the committee—the Senator from North Carolina—ought not to cut me off when I make the motion. Let us compare notes a little; Savannah, Georgia, is the second cotton port in the Union, and the seventh in the Union in exports and imports. I speak from the record. Her foreign exports and imports are \$24,476,166. Then, as the Cotton Exchange reports of the city of Savannah show, the actual exports, taking foreign and coastwise, for the last year amounted to over forty-nine million dollars that went out of the harbor of Savannah alone. Last year the whole cotton receipts shipped out through the port, foreign and coastwise, amounted to about seven hundred thousand bales. Estimating by the months that have already run in this year, we may safely say

that the cotton exports of the port of Savannah for this year will be 800,000 bales, and upon the same ratio of increase in the other exports, such as rice, tobacco, naval stores, lumber, timber, &c., the whole exports from Savannah, foreign and coastwise, for the present year will be between fifty-four and fifty-five million dollars.

Now, how does it stand in North Carolina? As you will see, I have about doubled the foreign trade of Savannah with the coastwise trade. The city of Wilmington, North Carolina, is the nineteenth port in the Union in exports and imports. Her exports and imports amounted last year in the whole to \$4,042,322, not quite one-sixth of the foreign exports and imports of the city of Savannah. But there are two other ports in North Carolina that have foreign exports and imports. Pamlico, North Carolina, has an export and import trade of \$27,786, and Beaufort, North Carolina, has an export and import business of \$1,248. Take it altogether, there are less than four and a half million dollars of exports and imports from the State of North Carolina through all three of her ports. The city of Savannah alone exports and imports over six times as much as the whole State of North Carolina; and yet the increase in the House appropriations made for that State in this bill by the committee are larger than the whole amount appropriated by the bill to Georgia.

Therefore, I say that all these items are not quite just, and while I am unwilling to embarrass the committee, for I see the situation, and I am aware of the lateness of the hour, I think it is unreasonable, with these figures before us, for the committee to say that they will allow no amendments.

Mr. RANSOM. What paper is the Senator from Georgia reading from?

Mr. BROWN. I am reading from the annual report of the Chief of the Bureau of Statistics of the United States of America.

Mr. BUTLER. May I ask the Senator from Georgia a question?

Mr. BROWN. Yes, sir.

Mr. BUTLER. What are the estimates, if the Senator knows, for the improvement of the harbor of Savannah?

Mr. BROWN. Yes, sir; I know exactly. I thank the Senator for asking me the question.

Mr. BUTLER. I mean the estimate upon which the appropriation in the bill for that harbor is made.

Mr. BROWN. I understand the Senator perfectly, and I am very much obliged to my friend from South Carolina for asking me that question, because it calls to my mind another fact that I wanted to state here especially. The city of Savannah has done that which I apprehend the chief city of the Senator's own State probably has not done. She has expended over a quarter of a million dollars out of her own purse, her own treasury, for the improvement of her own harbor. She has gone on the idea that those who want help must do all they can first to help themselves. She has acted on that rule and I can get the data and show every item. Over a quarter of a million of dollars has she expended for the improvement of her own harbor. I do not think many other cities have done as much.

But to the Senator's question. There was an estimate made to deepen the channel to nineteen feet, for you will bear in mind that the bar at the mouth of the river at high tide is twenty-six feet. The object was first to deepen the channel of the river between the city and the bar to nineteen feet. If they undertook to make it as deep as it ought to be at once with the meager appropriations it would be too long before we could do a reasonable business at the harbor. Hence an estimate was made for only a partial completion of the work first, so as to give the benefit of nineteen feet of water all the way down the channel.

The appropriations have been made from year to year until it lacks a little of \$65,000 to finish that particular work of deepening the channel to nineteen feet; but we look to the deepening of it finally to twenty-three or twenty-four feet. The Senate has already passed to-day my amendment to this bill instructing the Secretary of War to have the survey made with reference to deepening the channel three feet more, so as to make it twenty-two feet from the bar up to the city of Savannah.

Mr. RANSOM. Will the Senator from Georgia allow me to interrupt him for one second?

Mr. BROWN. I certainly will.

Mr. RANSOM. I ask the Senator if the Committee on Commerce did not increase the appropriation for the city of Savannah to the very last cent of the estimates and to the last cent of the demands of the Senators from that State?

Mr. BROWN. I thank my friend, the Senator from North Carolina, for calling my attention to that, for I want to do the committee full justice. On that point they did give the amount with this exception, that they appropriated \$5,000 of the sum for the payment for lands on the opposite side from Savannah.

Mr. RANSOM. That was by the request of the Senator from Georgia.

Mr. BROWN. No; my honorable friend is wrong. My amendment that I laid before you and that I urged before you, and I was unfortunate if I was not understood, was to appropriate \$65,000 to complete the work and \$5,000 for extinguishing the title to a certain neck of land necessary to be cut off from Hutchinson's Island. The situation there is just this—

Mr. RANSOM. There is no dispute about the Savannah amendment; it has been adopted.

Mr. BROWN. Let me answer the question. I want to make

myself understood on that matter now that the Senator has called my attention to it. The river right opposite the city of Savannah is not as wide as is necessary for the shipping purposes there. There is an island immediately opposite the city called Hutchinson's Island. The larger part of the river ran around on the South Carolina side of the island, and the estimates for improving the harbor include jettying across that back river so as to turn the stream as much as possible around by the city. The river is too narrow next to the city, and the engineers say it ought to be widened to six hundred feet right opposite the city where there is so much shipping. When I say so much shipping, I want to say in that connection, that during the whole business season there is, to say nothing of sailing vessels, more than one steamer on an average every day clearing from the harbor of Savannah. With all this shipping in operation there is not room enough for it immediately opposite the city. It is proposed therefore to deepen the shallow portion next to Hutchinson's Island, and cut off a neck of that island; and there we will have to pay for a little land when we invade private rights. That is what we ask \$5,000 for, and it is important to have it for that purpose. But deduct that and we lack \$5,000 of having the appropriation necessary for Savannah. And it will be borne in mind that the present estimates were made for the improvements of the harbor of Savannah, so as to give us but nineteen feet of water.

Mr. BUTLER. I was not making any comparison between Charleston and Savannah. I really wanted to give Savannah all she is entitled to, and she shall have all that she is entitled to so far as my vote is concerned. The point to which I wanted to invite the attention of the Senator was whether or not the estimates to which he referred had already been made; in other words, has not the appropriation in this bill been very nearly up to the estimates submitted by the engineers, or a very large percentage?

Mr. BROWN. Yes, as I have already stated, it has been within a little less than \$5,000 of the estimate for the completion of the work as proposed by the first survey of the port which only proposed to deepen the harbor to nineteen feet. But I will add that when the final survey is made to complete the work on the harbor, it may need a million there. The Senator has the estimates for South Carolina for the completion of Charleston Harbor, and they are large, but I am going to vote every dollar he needs for that purpose. I am a friend of his people and of his State, and I am not finding fault with what he asks. I only wanted to show him what we need, but I was taken up by the Senator from North Carolina on Savannah. That was not the point I was complaining about; my complaint is this: we have three large rivers in Georgia; we have rivers and a coast there that need improvement to the extent of nearly one thousand miles in length. The river on each side running nearly the length of the State belongs to the State. On the west, the west bank of the Chattahoochee is the line of Alabama. On the east, the east bank of the Savannah is the line between Georgia and South Carolina. Then the great river, the Altamaha, which is one of the large rivers of the South, runs nearly through the center of the State. It is formed by the junction of the Ockmulgee and the Oconee—and here I want to say a word about our exports again.

I got a letter the other day from the mayor of Darien, though I have not the official statistics, informing me that during the last year there has been shipped out from the mouth of the Altamaha River 70,000,000 feet of lumber, to say nothing about naval stores and other products. I want to show you that I am not asking for appropriations here for trout streams, or for places where there is no commerce. I am asking for appropriations where there are highways of commerce; I am asking appropriations where there is large commerce and where there is growing commerce. I do complain, therefore, that the committee, after my colleague and I had gone before them and asked an increase, cut us off and gave us not a single dollar of increase on any of our rivers and harbors as the bill came in its original shape from the House, except for the harbor of Savannah alone.

There is one other channel or river I must not forget, and it is one of the most important. It is important to the whole country; it is important to the North and South; it is important to the East and to the West. There is an inland channel along and around the coast of South Carolina, Georgia, and Florida by which you can go from Charleston to Savannah and from Savannah to Brunswick, and around into the Saint Johns, and up into Florida, and never go out to sea at all. We have a class of good boats that are beginning to do a large business there. We run two boats a day now usually both ways, and sometimes more in that inland channel. In case of war, as you have no adequate navy, let me tell you it would be as the engineers have said in their estimates, of immense value to you. You can conduct a commerce with it open between Charleston and any portion of Florida and never go to sea.

Mr. EATON. My friend means "us," not "you."

Mr. BROWN. I speak to the Senate; I mean everybody. I mean you and us; I mean the fifty million people of the United States all united as they are now, and as I am glad to believe they always will be in the future. That is what I mean, and I thank my friend from Connecticut for directing my attention to it if I have used expressions that do not convey that idea. But this inland salt river is of national consequence.

There is a place called Romney Marsh, beyond Savannah some

twenty or thirty miles, in the direction of Florida. The boats have to go through the marsh. What is the marsh? It is a marsh between the islands and the mainland, grown over with high grass that at high tide is entirely covered; at low tide it is about five feet above the water. There are rivers and creeks through it. The navigable channel goes through it in a very winding and meandering sort of way. In passing Romney Marsh, if you get there at low tide, you have to lie over always for the tide to rise, and it is a very great hindrance and inconvenience. If the people who come from New England, New York, Pennsylvania, and other States and land at Savannah, going to Florida, that tropical garden we have down there, stop over a day or two at Savannah, they are very apt to take those inland boats, because they are very pleasant. It is as pleasant as river navigation and as safe; but they go around and hang in Romney Marsh and wait there for the tide to rise. The engineers have made a survey of the marsh, and they say that \$31,680 will cut a canal through the part of the marsh where we always stick, and open the whole navigation and make it free and easy. The Georgia and Florida Inland Steamboat Company, owning the boats on that line, whose headquarters are in New York, have made a proposition which I now have before me, that I will not stop to read, which is that if Congress will appropriate \$20,000 of that \$31,680 they will take the contract, because they are running boats there, and complete the job according to the estimates made by the engineers for \$20,000. In other words, this steamboat company itself will contribute eleven thousand six hundred and eighty dollars of the amount necessary to cut the canal through Romney Marsh, to have the inland navigation improved as it ought to be.

Now, I did think when I went before the committee that I made a good case there upon which I was entitled to consideration. It is true it sounds a little strange to ask to improve the navigation of a marsh, but it is to improve the navigation of the salt river that runs and winds through the marsh by cutting a little canal across where it is impassable at low tides, so that boats can go along without lying there six or twelve hours waiting for the tides. The steamboat company now says "Give us \$20,000 of the \$31,680, the estimated cost, and we will cut the canal, as estimated by your engineers, worth thirty-one thousand six hundred and eighty dollars." As this private company proposes to give over one-third of the amount, I thought I made a good case before the committee, but it seems they did not think so. I appeal from their decision, and I say now that I intend at the proper time to offer an amendment to appropriate the \$20,000 for Romney Marsh; and I beg Senators on both sides, republican and democratic, to consider it favorably, North, East, and West; you are all interested in it. There is probably no appropriation in this bill of like amount that would do more real good to the commerce of the country than the \$20,000 which you would put in Romney Marsh to make that navigation free and easy all the time. I propose the route by Warsaw Island. The island has a beautiful beach. It would afford the people of Savannah an opportunity to build hotels and summer residences on the island, which would then have speedy and easy communication with the city, which would be a great convenience to a large class of our best people, who could spend their summers near home, on a beautiful island, in the midst of a fine, healthy sea-breeze. This would increase the health, comfort, and prosperity of the people of our beautiful city. I thought the committee ought to have given us this appropriation, and it is about that, and the Altamaha River, and the Chattahoochee River, and the Savannah River, all of which are put off with mere nominal appropriations, that I complain, not about the city of Savannah. I referred to the commerce of the city of Savannah to show that it was not, as some of the rivers have been called, trout streams that we were improving there. Here is one of the largest commercial ports of the Union, doing a vast business, constantly improving, with a railroad system going back and penetrating the whole country west and south and southwest. This railroad system has been put into operation at a great deal of expense. It is being improved every year, and as it now stands it is going to pour an immense commerce into Savannah.

Why will we not improve these rivers and harbors, then, as they should be, and encourage these great cotton and timber and naval store and rice interests as they deserve? The committee gave us for the great river Altamaha \$5,000; and for the two branches that rise up in that immense timber region, none like it anywhere scarcely, where they are bringing out such large quantities of timber, they give us \$2,500 for one and \$5,000 for the other. All I asked was \$10,000 each for the branches and \$10,000 for the Altamaha. I thought we ought to have had it; it is certainly much more reasonable than a great deal that is in the bill, and why should we not have it? Why cut us off by the gag-law, and not even permit us to be heard in these amendments? Mr. RANSOM. Certainly the Senator from Georgia does not pretend that I have cut him off by a gag-law. He has certainly illustrated the fact that I have not done that.

Mr. BROWN. The illustration is very good, it is true; but I am not quite sure how much I am indebted to my honorable friend for the opportunity of making this speech. I think he tried the gag-law by moving to lay on the table the very amendment which I got up to discuss here; but we voted him down, and he could not put on the gag, could not put the bits in my mouth; and hence by the courtesy

of the Senate, and not of my friend from North Carolina, I am allowed to make my remarks.

Mr. RANSOM. When the Senate gets an opportunity I think they will agree to my motion.

Mr. VANCE. I simply want to make an inquiry. I wish to inquire what is the question before the Senate?

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas [Mr. PLUMB] to recommit the bill with instructions.

Mr. BROWN. I have the floor on that question.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. BROWN. I am also discussing kindred subjects that are very germane to it. I do not expect to occupy the floor again on this question only to make some motions to amend, and while I am up I want to state the reasons why this gag should not be put upon us, and to show that there are good reasons why the committee ought not to cut us off by motions to lay our amendments on the table, which motions are not debatable.

Allow me to remark here another coincidence which is a little peculiar. In every instance where my friend, the chairman, makes a motion to lay an amendment on the table the Senators from the States that get the largest part of the appropriation vote to cut us off. They cannot afford to injure the bill. Some of the States represented on the committee fare rather luxuriantly in the bill, and it is natural enough, I suppose, that they want to hold on to what they have. But they should let us put a little more on; and if we happen to add by meritorious amendments another million, I think it is infinitely small compared with what our fathers appropriated for like objects when we take into account their numbers, their wealth, and their situation, and compare them with our numbers, our wealth, and our situation.

I do not want to be gagged on this question, and I do not think other Senators who have meritorious amendments do, nor do I think it ought to be done. I know I have not confined myself to the question of the improvement of the mouth of the Columbia River which is the pending amendment which the Senate refused to lay on the table. I am ready to vote for the appropriation because the Senators from that State say it is really necessary and important. The Columbia River is one of the great water-ways of the Union, and I shall vote with the Senators from Oregon on that question, and then I have no doubt when they come to consider other amendments that are equally meritorious they will vote for them.

I do not think the honorable chairman need be alarmed about the fate of his bill. I do not believe we will hazard its passage. We ought to add a little more to it. We should be willing to take the risk. As a democrat I shall take it, and I am not afraid of what the people will say. I would rather suppose they would call us to account for not having made reasonable appropriations than that they would be likely to call us to account for voting more than ought to be given by this bill. If the whole amount appropriated does not exceed \$15,000,000 and the money is appropriated as it ought to be for necessary improvements and each State gets its just proportion, I am willing that this democratic Congress shall take that much responsibility. However much of popular confidence the party may have lost on previous occasions by a timid and vacillating policy, if it will appropriate such sums as are necessary to make proper improvements of the great highways of commerce which a bountiful Providence has so richly bestowed upon us, and thus give easy and cheap transportation to the productions and importations of the country, we shall for one time at least hear the plaudit of well done come rolling back to the Capitol from a vast majority of the fifty million people whose interests will be promoted by such an exhibition of practical statesmanship and wise policy.

Mr. PLUMB. I move that the Senate proceed to the consideration of executive business.

Mr. RANSOM. It is not in order to say anything, but I hope that motion will not prevail.

The motion was not agreed to.

Mr. PADDOCK. I move that the Senate take a recess until half past seven o'clock. ["No!" "No!"]

Mr. RANSOM. This very long bill has to go back to the other House; already amendments have been adopted to it; and we had better go on with it now. I appeal to the friends of the bill to stand by it.

Mr. PADDOCK. My belief is that it will be an utter impossibility to finish the bill in any reasonable time this evening.

Mr. BECK. May I be allowed to say a word?

The PRESIDING OFFICER. It is not a debatable proposition, but by consent the Senator may proceed.

Mr. BECK. I wish only to say that the sundry civil bill will reach the Senate at some hour-to-night we hope; it is perhaps the most difficult bill to manage. It has to be followed by the deficiency bill. The legislative, executive, and judicial appropriation bill and several others are going to give some more trouble, and unless we close the consideration of this bill now it will be either a failure, or some important bill that must be passed will either receive no consideration, or not be passed at all.

Mr. RANSOM. I hope that the motion to take a recess will not be

adopted by the Senate. There is a large number of Senators here, and we can go on with the bill, and if it is to be finished we can finish it to-night. I concur in what the Senator from Kentucky has said.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska, that the Senate take a recess until half past seven o'clock.

The motion was not agreed to.

Mr. PLUMB, (at five o'clock and thirty-six minutes p. m.) I move that the Senate now adjourn; and on that motion I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. WALKER, (when his name was called.) I am paired with the Senator from Pennsylvania, [Mr. WALLACE,] who would vote "yea" if he were present, and I should vote "nay."

The roll-call was concluded.

Mr. TELLER, (after having voted in the affirmative.) Did the Senator from Wisconsin [Mr. CAMERON] vote.

The PRESIDING OFFICER. He did not.

Mr. TELLER. Then I will withdraw my vote.

The result was announced—yeas 9, nays 42; as follows:

YEAS—9.

Bruce,	Hoar,	Logan,
Dawes,	Ingalls,	Morrill,
Hill of Colorado,	Jones of Nevada,	Plumb.

NAYS—42.

Bailey,	Farley,	Kernan,	Saulsbury,
Bayard,	Ferry,	Lamar,	Saunders,
Beck,	Garland,	McDonald,	Slater,
Booth,	Groome,	McMillan,	Vance,
Burnside,	Hampton,	Maxey,	Vest,
Butler,	Harris,	Morgan,	Voorhees,
Call,	Hereford,	Pendleton,	Williams,
Cockrell,	Hill of Georgia,	Pugh,	Windom,
Coke,	Johnston,	Randolph,	Withers.
Davis of Illinois,	Jones,	Ransom,	
Eaton,	Jones of Florida,	Rollins,	

ABSENT—24.

Allison,	Cameron of Pa.,	Hamlin,	Sharon,
Anthony,	Cameron of Wis.,	Kellogg,	Teller,
Baldwin,	Conkling,	Kirkwood,	Thurman,
Blaine,	Davis of W. Va.,	McPherson,	Wallace,
Blair,	Edmunds,	Paddock,	Whyte.
Brown,	Grover,	Platt,	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The question recurs on the motion of the Senator from Kansas [Mr. PLUMB] to recommit the bill with instructions.

Mr. RANSOM. Without any impatience in the world, certainly with all the deference I can or ought to have toward the sentiment of the Senate, I will presume to say that I think Senators are about as well advised on this bill now as they will be during the night. If we intend to pass the bill it must be passed to-night; that is settled. I hope now, without presuming even to suggest or dictate to the Senate, that we shall proceed with the bill and vote on amendments that may be offered and then on the final passage of the bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas, to recommit the bill with instructions.

Mr. PLUMB. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. ANTHONY, (when his name was called.) I am paired on this question and on all questions on this bill, with some exceptions, with the Senator from Ohio, [Mr. THURMAN.]

Mr. EATON, (when Mr. PLATT's name was called.) I desire to say that my colleague [Mr. PLATT] is paired with the Senator from Mississippi, [Mr. BRUCE.] If my colleague were here he would vote "yea."

Mr. WALKER, (when his name was called.) On this and all other questions connected with the river and harbor bill I am paired with the Senator from Pennsylvania, [Mr. WALLACE,] and I make the announcement now, so that I need not hereafter repeat it. If the Senator from Pennsylvania were present, he would vote "yea" and I should vote "nay."

The roll-call was concluded.

Mr. DAVIS, of Illinois. The Senator from Louisiana [Mr. KELLOGG] and the Senator from Iowa [Mr. KIRKWOOD] are paired. On this question I really do not know how they would vote.

Mr. COCKRELL. I am paired with the Senator from Vermont, [Mr. EDMUNDS,] who is now absent, upon this question, reserving, however, the right at any and all times to vote in order to make a quorum. If the Senator from Vermont were present, I understand he would vote "yea." I should vote "nay."

Mr. TELLER. I am paired with the Senator from Wisconsin, [Mr. CAMERON,] who it seems has gone away. I was to pair with him if he went away, and I shall not vote. If he were present, I should vote to recommit the bill.

Mr. McMILLAN. The Senator from Wisconsin would vote "nay." Mr. THURMAN. I am paired with the Senator from Rhode Island [Mr. ANTHONY] on all questions except those that effect my own State.

The result was announced—yeas 10, nays 39; as follows:

YEAS—10.

Davis of Illinois,	Harris,	Kernan,	Pendleton.
Dawes,	Hill of Colorado,	Logan,	
Eaton,	Ingalls,	Morrill,	

NAYS—39.

Bailey,	Coke,	Johnston,	Ransom,
Bayard,	Farley,	Jonas,	Rollins,
Beck,	Ferry,	Jones of Florida,	Saunders,
Blair,	Garland,	Lamar,	Slater,
Booth,	Groome,	McDonald,	Vance,
Brown,	Grover,	McMillan,	Vest,
Burnside,	Hampton,	Maxey,	Voorhees,
Butler,	Hereford,	Paddock,	Williams,
Call,	Hill of Georgia,	Pugh,	Windom.
Cameron of Pa.,	Hoar,	Randolph,	

ABSENT—26.

Allison,	Conkling,	McPherson,	Thurman,
Anthony,	Davis of W. Va.,	Morgan,	Walker,
Baldwin,	Edmunds,	Platt,	Wallace,
Blaine,	Hamlin,	Plumb,	Whyte,
Bruce,	Jones of Nevada,	Saulsbury,	Withers.
Cameron of Wis.,	Kellogg,	Sharon,	
Cockrell,	Kirkwood,	Teller,	

So the motion was not agreed to.

The PRESIDING OFFICER. The question now is on the amendment of the Senator from Oregon, [Mr. SLATER,] at line 818.

Mr. MORRILL. I desire to offer an amendment. If it is not in order now, I will wait until this amendment is acted upon.

The PRESIDING OFFICER. If it precedes line number 818 it will now be in order; if it comes afterward the Senator had better reserve it.

Mr. MORRILL. It comes after it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oregon, in line 818, to strike out "forty" and insert "seventy."

Mr. RANSOM. I am obliged to call for the yeas and nays upon that amendment, because if I once do anything that consents to putting amendments on this bill, I shall feel called upon, and it is my duty to say so to the Senate, to treat all gentlemen alike who have amendments of equal merit. I should be very remiss if I were to allow one amendment to be admitted here, if when others of equal merit were offered I did not consent to their admission also. So I must call for the yeas and nays and vote against this amendment.

Mr. HILL, of Georgia. I suggest that the vote to lay on the table was a test vote on this amendment.

Mr. RANSOM. It was not a test vote.

The yeas and nays were ordered.

Mr. TELLER. Let the amendment be reported.

The CHIEF CLERK. In line 818 it is proposed to strike out "forty" and insert "seventy;" so as to read:

Including bar at mouth of Columbia River, Oregon, \$75,000.

The Secretary proceeded to call the roll.

Mr. TELLER, (when his name was called.) When I paired with the Senator from Wisconsin [Mr. CAMERON] I reserved the right to vote on such amendments as I thought proper, and only paired on final action upon the bill, or that which would look to the final defeat of the bill, so that I vote "yea."

The roll-call was concluded.

Mr. THURMAN. As the Senator from Rhode Island [Mr. ANTHONY] is now in the Chamber, I vote "yea."

The result was announced—yeas 23, nays 29; as follows:

YEAS—23.

Bailey,	Grover,	Logan,	Saunders,
Bayard,	Hampton,	Morgan,	Slater,
Brown,	Hill of Georgia,	Morrill,	Teller,
Davis of Illinois,	Hoar,	Paddock,	Thurman,
Dawes,	Ingalls,	Pendleton,	Vest.
Garland,	Kernan,	Plumb,	

NAYS—29.

Anthony,	Cameron of Pa.,	Jonas,	Rollins,
Baldwin,	Coke,	Jones of Florida,	Vance,
Beck,	Eaton,	Lamar,	Voorhees,
Blair,	Ferry,	McDonald,	Williams,
Booth,	Harris,	McMillan,	Windom.
Burnside,	Hereford,	Maxey,	
Butler,	Hill of Colorado,	Pugh,	
Call,	Johnston,	Ransom,	

ABSENT—23.

Allison,	Davis of W. Va.,	Kellogg,	Sharon,
Blaine,	Edmunds,	Kirkwood,	Walker,
Bruce,	Farley,	McPherson,	Wallace,
Cameron of Wis.,	Groome,	Platt,	Whyte,
Cockrell,	Hamlin,	Randolph,	Withers.
Conkling,	Jones of Nevada,	Saulsbury,	

So the amendment was rejected.

Mr. MORRILL. On page 41, after line 988 of section 1, I move to insert the following proviso:

Provided, That the President of the United States is hereby authorized and requested to make such deductions from the respective appropriations herein provided for as shall amount in the aggregate to the sum of \$4,000,000, and these deductions shall be made in such amount in each case as in the judgment of the President will best serve the public interest in advancing the most necessary improvements.

It is, I suppose, well understood by every Senator that this is the

largest river and harbor bill that has ever been reported. It came to us from the House very large, and I do not understand that in committee it has been pruned in a single instance, but the committee have added very largely to it. While I am a staunch friend of internal improvement, and improvements such as the bulk of this bill proposes, yet there are a good many things in the bill that ought to be stricken out. The committee to which it was referred ought to have made provision in order that we may keep such measures as this in some favor with the people; but if we are to go on in this most extravagant style we are ruining the very system that we are undertaking to uphold.

It will be seen by looking at the bill that the Committee on Commerce proposed, and I suppose in Committee of the Whole of the Senate the amendment has been agreed to, to strike out the provision of the House bill that the money should be expended in the most economical manner; that is, by the system of contracts. Everybody knows that we can get from 33 to 50 per cent. more work done by contract for the same money than we can by leaving it to petty engineers all over the country to spend it as they may see fit and proper.

I desire that we shall appropriate a liberal sum for river and harbor improvements, and after we have appropriated a liberal sum I want the best that can be done to be undertaken on the part of the Government. It seems to me strange, unless it is for the purpose of distributing this money and fertilizing the country without any regard to what shall be done with it, that that eminently wise and economical provision should have been stricken out of the bill, under the circumstances, where every little stream in the country seems to have been named and got hold of in order to rope in the interests of the respective States in favor of the bill.

I cannot say that such an amendment as this I have offered will be accepted; but it seems to me when we appropriate \$7,600,000—and that will be the amount as near as I can figure it under my proposed amendment; it is a liberal sum and ought to content the Senate; I hope it may content the Senate.

Mr. THURMAN. I suggest to my friend from Vermont that he withhold his amendment until the other amendments to be offered have been voted upon. That is an amendment which should come in after the bill has been perfected or rendered more imperfect, either one or the other as the Senate votes. There are other amendments to be offered.

Mr. MORRILL. If it shall be understood that this amendment may come up without being moved, I have no objection.

Mr. THURMAN. Of course it will come up.

The PRESIDING OFFICER. The amendment, then, will lie on the table subject to the call of the Senator from Vermont.

Mr. THURMAN. Do I understand that for the present the amendment is withdrawn?

The PRESIDING OFFICER. It is laid on the table subject to the call of the Senator who submitted it.

Mr. MORRILL. Or anybody else.

Mr. THURMAN. Although I have very little hope of getting anything better in this bill than it is after the vote on the amendment offered by the Senator from Oregon, which it seems to me was the most meritorious thing that has been offered about the bill, I yet venture, in accordance with the recommendation of the local engineer and also the Chief Engineer of the United States, and for reasons that I shall state, to move to amend the bill, in line 170, by striking out "thirty" and inserting "fifty," which will be an increase of the appropriation of \$20,000 for an ice-harbor at the mouth of the Muskingum River, Ohio. The bill appropriates \$30,000 as it now reads.

Several years ago Congress made an appropriation for the construction of an ice-harbor on the Ohio River, at the mouth of the Muskingum River. It was highly recommended by the Chief of Engineers and by one of the subordinate engineers of that department as necessary for the safety of the commerce of the Ohio River. It is really in the Muskingum River at its mouth. The State of Ohio has an improvement along the Muskingum River, slack-water navigation, and there is a large dam at that mouth which the State consented might be used in the construction of this ice-harbor, saving to the Government an expense of more than \$40,000. Congress first appropriated, if I remember aright, \$30,000, and last year appropriated \$30,000; and now the Chief of Engineers reports to Congress as follows:

5. *Ice-harbor at mouth of Muskingum River, Ohio.*—Under the appropriation of March 3, 1879, (\$30,000,) a contract was made for furnishing the stone for a lock in the State dam at Marietta, Ohio, and the delivery of stone has been begun.

Under the appropriation of June 14, 1880, it is proposed to commence the construction of so much of the above lock as is located above the dam, the amount of the appropriation being too small and the season too far advanced to justify more extended operations.

The officer in charge submits the following estimate for the ensuing year: For completing lock at Marietta..... \$136,400

That is the estimate made by the Chief of Engineers, and also by the officer of that department who has the matter specially in charge.

I want to say that this is for an ice-harbor on the Ohio River, and the only one on that river. It is true that there is another one projected, but this is the only one on which any considerable work has been done. The Ohio River, from the port of Pittsburgh to its mouth, is a thousand miles in length that is navigable. Its two great tributaries which constitute it, the Allegheny and the Monongahela, are also navigable for long distances from Pittsburgh. It is a river that is subject to the breaking of the ice in the spring, to the great

injury of the boats and other craft upon it. I am assured by the member of Congress from the Marietta district that if this work had been completed, the saving this very year upon the going out of the ice would have been three times as much as would have made that ice harbor.

There can be no doubt whatever, and never has been any doubt, of the importance of this work. There is no work of this importance that the General Government ever undertook that will be constructed with as little expense to the Government as will this work, owing to the fact of the State improvement and the consent which the State has given by resolutions of the Legislature to the use of the State dam for this ice-harbor.

Mr. President, I am not going to take up the time of the Senate by detailing the importance of commerce upon the Ohio River. Every Senator certainly knows it; but I wish to call the attention of the Senate to the fact that the appropriation names what it is, the unexpended balance and the appropriation of \$30,000. This work cannot be completed within this year, and they have to meet next winter or next spring the same disastrous consequences that have attended commerce this spring. This is an ice-harbor for the use of vessels on the Ohio River all the way from Pittsburgh to Cincinnati. It is of immense importance to them, and it is penny-wise and pound-foolish not to finish this work at once. The appropriations ought to have been through before; the work ought to have been completed at once instead of dribbling out small sums and letting it linger over many years in its construction. The \$50,000 to which I propose to raise this appropriation is not enough. The right policy, the true economy, would be to appropriate enough to finish the work at once; but I have no hope of succeeding, if I were to offer an amendment, to raise the sum to what it ought to be; but I trust the Senate at least will raise it to the same sum which Congress appropriated last year, in order that the work may proceed.

Mr. RANSOM. I have to say identically the same words in reference to the amendment of my friend from Ohio that I said in reference to the amendment of the Senator from Oregon, and it is an illustration of what I stated before. If one of these amendments is admitted, there are others just as meritorious, almost without number, and the bill will be broken down and there is an end of the measure. I move to lay the amendment of the Senator from Ohio on the table.

Mr. THURMAN. On that I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 28, nays 13; as follows:

YEAS—28.

Baldwin,	Cameron of Pa.,	Harris,	Maxey,
Beck,	Coke,	Hereford,	Pugh,
Blair,	Davis of W. Va.,	Johnsten,	Ransom,
Booth,	Farley,	Jonas,	Vance,
Burnside,	Ferry,	Lamar,	Vest,
Butler,	Garland,	McDonald,	Voorhees,
Call,	Hampton,	McMillan,	Williams.

NAYS—13.

Bailey,	Hill of Georgia,	Paddock,	Thurman.
Brown,	Ingalls,	Pendleton,	
Davis of Illinois,	Logan,	Plumb,	
Hill of Colorado,	Morgan,	Slater,	

ABSENT—34.

Allison,	Eaton,	Kernan,	Sharon,
Anthony,	Edmunds,	Kirkwood,	Teller,
Bayard,	Groome,	McPherson,	Walker,
Blaine,	Grover,	Morrill,	Wallace,
Bruce,	Hamlin,	Platt,	Whyte,
Cameron of Wis.,	Hoar,	Randolph,	Windom,
Cockrell,	Jones of Florida,	Rollins,	Withers.
Conkling,	Jones of Nevada,	Sanbury,	
Dawes,	Kellogg,	Sanders,	

So the amendment was laid on the table.

Mr. MORGAN. In line 150 I move to strike out "one hundred" and insert "one hundred and twenty-five;" so as to read:

Improving harbor at Mobile, Alabama, \$125,000.

I have no doubt that this amendment will go the way of all flesh, but before it goes in that way I desire to make a statement of the facts upon which it is predicated, and I am prepared to support it by some very essential documentary history. The Senate committee have taken up a House bill and have declined to adhere to the amount of money that the House had appropriated or expressed its willingness to appropriate, and the Senate committee have added very largely to that amount of money. If there are any instances in which reductions have been made I have not yet seen them. There may be some instances, but I do not remember any in which a reduction has been made of the sum of money appropriated in any particular case below that which the House has designated as being its will on that subject.

Mr. INGALLS. Can the Senator state how much the bill was increased? I did not hear the original statement.

Mr. MORGAN. I do not undertake to state that. I have no idea that there is a Senator on this floor who can state it.

Mr. INGALLS. I understand that the Senator from North Carolina who has the bill in charge made a preliminary statement, in which he announced how much the bill had been increased as it came from the House.

Mr. MORGAN. I did not hear that. I do not see the chairman

now, but I will ask the committee where there has been any reduction made upon any appropriation sent to us from the House? No Senator has answered that any reduction has been made; and without pretending to be entirely familiar with every item of this bill, I will assume for the purposes of the point I am making that no reduction has been made.

The bill, then, when it came from the House, was to be taken precisely as it passed the House, and when it came to the Senate it was to be amended in those particulars that the committee agreed upon, and then there was an evident understanding on the part of the committee that no departure should be made from that agreement which they have entered into; for we were notified when the bill came in here that there should be no increase in the appropriations beyond that which the committee had fixed in its own mind as being the sum which the Senate would agree to appropriate.

This method of dealing with a subject of this kind cuts off all discretionary action on the part of the Senate. No discretion remains to any Senator or to this body as a whole which the committee will allow to be exercised in changing the amount of these appropriations in any direction, either to decrease or to increase. It comes to us like a Procrustean bed, upon which we are to be measured, after having been first tied upon it, without the option on our part either to see that it is too long or too short, or too hot or too cold. The committee, in the exercise of the jurisdiction and authority which I suppose they feel perfectly composed in exercising, in their judgment measure the appropriation as it shall be made, and nothing is to be heard or urged against it in the Senate that is not encountered at once with a motion to lay on the table.

I confess I have never seen any measure passed through the Senate of the United States under rules and regulations quite as stringent and as military in their character as those that control the action of the Senate on this bill. The Senator from Oregon was not allowed to have an amendment put upon the bill which he insisted was entirely just, and proved to be just before the Senate, because it would increase the amount of the appropriation and load the bill. The Senator from Ohio, who has now almost two full terms of senatorial experience in this body, has not been allowed to amend the bill so as to provide for a harbor of safety and of refuge for vessels on the Ohio River, which he declares in his place in the Senate is essential to the preservation of the commerce of the Ohio River.

After these rebuffs on the part of the committee, because they are not rebuffs on the part of the country, I know the fate of the amendment that I have moved. I discern that whatever is just to be done in this case is not going to be done. I know that the Senate is in thralldom and in leading-strings, so that those who are interested in the passage of this bill are not going to relax for any statements of facts that I can make or any argument that I can present. After the defeat of the honorable Senator from Ohio upon a proposition of the kind that the Senate has just broken him down upon, and after having seen him take his cloak and retire from the Chamber, I am thoroughly admonished that the power which has been imposed upon the Senate by the committee to force this measure through is one that I cannot resist.

But, sir, it remains to me to inquire for a moment how this power happened to be concentrated in the hands of the committee. It has not been done on the merits of the bill. Senators who belong to this committee have risen in their places to-day, and if they have not said it they have at least conceded it, that there are parts of this bill which they themselves would oppose if they felt at liberty to do it. Then we are brought to this condition as legislators that a measure is presented to us for our consideration full of evil, and we have not the liberty to eliminate it because there is a power we dare not attempt to resist which attempts to put, as has been stated here, the evil and the good together. I would feel that I had underrated the dignity of the high office which the people of my State have conferred upon me if I could ever confess that I was placed in such circumstances in reference to public legislation that I had no liberty to eliminate the evil from the good, and that I was bound to take the evil in order to get some modicum of justice at the hands of the Senate. This honorable body does not place itself upon the high plane of legislative action which properly belongs to it under the Constitution and the glorious traditions of its past history, when it concedes that it must pass a measure under the pressure of the previous question, for it is nothing else than that, first introduced here by the motion to lay on the table an amendment which is admitted by the very committee itself to contain merit.

The amendment which I have had the honor to offer here is for the benefit of the port of one of the oldest cities in the United States, settled centuries ago, whose traffic has been of great value commercially to the people of a widespread section of this country. After the most diligent and careful explorations of the Bay of Mobile, it has been ascertained by absolute tests that a channel two hundred feet wide and seventeen feet deep can be obtained there, which will float the commerce of the great tributaries of that stream, the Alabama River, now with 1,600 miles of actual navigation, out to the sea, and that it can be done with an expenditure of \$850,000. The Congress of the United States, heretofore voting river and harbor bills not ranging above \$10,000,000 of money for appropriations to these subjects, has found that it was its duty to appropriate \$125,000 a year to this work, and now the appropriation runs over \$11,000,000, prob-

ably to \$12,000,000, and the Bay of Mobile, instead of receiving its \$125,000, receives but \$100,000.

I should like to know how it is that with the vast volume of the appropriations, increasing so much, this harbor, against which no man can make a just argument, must content itself with \$100,000, while unimportant works in the United States are swelling up in their demands upon the country. Let this honorable committee come to the bar of public opinion and answer that question, for it may be that in this hour in which we are moving to gratify certain constituencies by large contributions from the Treasury Senators can find their convenience or even their interest in voting upon this bill as they have required us to vote, to take it in the shape which they require us to take it, but after awhile comes the judgment, and I am afraid that the judgment will come after death to many of us; but surely it will come, and the people of the United States will inquire into this matter, and they will understand why it is that the harbors of this country which are connected by lines of steamship with foreign trade and through which entrepôts float the riches that pour in upon this country, are to be choked to death while you increase the appropriations more than \$1,000,000 each succeeding year. Convenience will not do as answer to this question. Combinations will not do as an answer to this question. That you cannot get anything, that "it won't do" is not an answer to this question. The question stands on its eternal merits, and until we can take away some of the foundation you can never shake the principle.

The bay of Mobile has a commerce which, during the past fiscal year, received the freight of four hundred and twenty-two vessels, one line of which was a line of steamships built largely by the people of Mobile out of their private capital. Those four hundred and twenty-two vessels have a tonnage of 116,987 tons, and the value of the commerce which went out of that port was \$7,187,975 in the one product of cotton; there were \$430,000 of imports of foreign goods; and the revenue collected was \$63,946, justifying the action of the Congress of the United States heretofore in deepening the harbor from thirteen feet at least to seventeen; and the thirteen feet were gained by a contribution from the State of Alabama of \$200,000, which was expended upon the very channel through which these ships are passing to and fro. Here is a State that spent out of her own treasury or out of her taxation upon her people \$200,000 to deepen this channel to thirteen feet, and Alabama has furnished the commercial channel of the bay of Mobile up to this time. Now, we are trying to accumulate a fund, which, if economically expended, as it will be under the direction of that honest and able gentleman, Major Damrell, who has charge of it, will economize the expenditures of this Government and give us a seventeen-foot channel there to accommodate a vast area of that country reaching into three States, Georgia, Alabama, and Mississippi.

I come and ask that the appropriation may be placed within \$75,000 of the estimate of the Engineer Corps of officers, and within less than \$300,000 of the estimate of the local engineer; but my proposition will be laid on the table; that will be the end of it; and the money that ought to go for the purpose of improving the depth of water in Mobile Bay will be spent upon the tributaries of the Alabama, and be spent upon streams and brooks elsewhere through the United States, and notwithstanding the appropriation runs up more than \$1,000,000 beyond what it did at the last session of Congress, this appropriation must simply go without the assent of the Senate of the United States.

There may be a principle in all this, but I fail to discern it. There may be a reason for it, but it is too obscure for my detection. There may be justice in it, but if there is, it is that justice which violates the instincts, as I conceive, of every community in this country which looks to the real welfare of the country. It is rank injustice. It is the injustice which withholds from a purpose which is legitimate and has been always recognized as legitimate in this Government, the protection and increase of our commerce abroad, a proper and reasonable appropriation, and takes the money and diverts it to other projects which are entirely unknown to the commerce of the country.

When I first entered the Senate of the United States I announced to this honorable body, perhaps without much attention on their part, my constitutional views in relation to appropriations for improvements in my own State, and that I should be guided entirely with reference to the benefits they might confer upon the whole commerce of the people of the United States. Thereupon I introduced a measure to expend \$10,000 for borings and soundings in the bay of Mobile, so that no money might be expended extravagantly or without just cause. That appropriation was granted and the borings and soundings and testings were made to an absolute demonstration of the feasibility of this work, and that too within the range of a very economical dispensation of the money of the Government. From that time to this not myself alone and my colleague, but the able engineer who is in charge of the work and the people of the State of Alabama have kept a most watchful eye on the expenditure so that at the last session of Congress when it was proposed to have this work done entirely by contract, I received from the merchants of the city of Mobile representations saying "if you let this work out entirely by contract and do not reserve to the Government officer the power to do it by the hiring of labor, we shall be mulcted in an immense amount of loss in consequence of combinations that will be formed to take possession of the work." Upon that suggestion the bill was amended, biddings were opened and twenty-two cents was the lowest

bid that was proposed for work of this kind under the contract system as it then existed, and the engineer could have been bound to have received these bids as the lowest bids from responsible parties. When upon the suggestion of the citizens and merchants of Mobile, that amendment was adopted and the biddings were reopened, what was done? They got an arrangement to do the work from a Baltimore company for eleven cents, saving one-half of the appropriation.

I feel grateful to the committee that they have recognized the duty on their part, as I have no doubt they recognize all their duties, for the modification they have made in the House bill. I lament that the committee have not carried out in all respects the spirit which dictated that action. If they had eliminated from this bill appropriations unworthy to be made, the committee would have given strength to the bill; you would have a bill you would be proud of; but, as it is, the Senate has to bow itself to combinations made in the House of Representatives and transferred to the Senate, which compel us to do the will of a majority that has been made up, not on principle, but on interest.

I was speaking in reference to what the people of Mobile had been doing, and to the honest security they had got that the money of the United States would not be squandered in extravagant expenditures there. They want the work; they need it. The great river which enters the bay, and the territory which it drains, will furnish to the commerce of the United States and of the world an almost unexampled supply of the elements of wealth; but the bar, which has so long obstructed the bay of Mobile, stands there yet; and while the little rivers of the interior demand appropriations from Congress, and aggregate around themselves sufficient strength to carry them through by main force, this great outlet to the sea must be closed and remain closed. God knows when it will be opened. I do not know, for it seems that there is to be no relief by the increase of appropriations. The larger the bulk of the appropriations, the worse the treatment of the great harbors and the less they get. The more money that we expend here, the less the commerce of the United States is benefited.

That, sir, is the complexion of this bill, and I now submit to the motion of the honorable Senator who has charge of this bill, the chairman of the committee. I bow my neck to his saber, and let him decapitate me.

THE PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Alabama.

MR. RANSOM. I will simply say what the Senator from Alabama knows well, that we increased the appropriation for Mobile Bay, and came nearer the estimate in that than we did in a large number of harbors in this country. The work to be done is dredging, and \$24,000 of former appropriations is unexpended and available for use. But, Mr. President, it is my duty, notwithstanding the very able speech made by the Senator from Alabama on this question, to move to lay his amendment on the table, and I do so.

MR. MORGAN. Will the honorable Senator allow me a moment of explanation before he does that?

MR. RANSOM. I will allow the Senator a moment, but I cannot yield for a speech.

MR. MORGAN. A moment is all that I ask. The increase of the amount of appropriation by the committee is an increase of \$10,000, but it is \$25,000 short of what it was a year ago, and the request for the increase of the appropriation is only made, I will say to the Senator from North Carolina, to secure the economical expenditure of the money that we must expend, and it can be done more economically by being appropriated at once. I am inclined to economical expenditures.

MR. RANSOM. If I could have my way, the port of Mobile—and I have given very good evidence of that heretofore—should have enough money to perfect it. We cannot all get all the money we desire. I move to lay the amendment of the Senator from Alabama on the table.

MR. MORGAN. Now will the honorable Senator from North Carolina allow me to say that I am very sorry he cannot have his own way?

THE PRESIDING OFFICER. The Senator from North Carolina moves to lay the amendment on the table.

MR. MORGAN called for the yeas and nays, and they were ordered and taken.

MR. TELLER. As I stated before, I reserved the right to vote on amendments, and I will vote "nay."

MR. BURNSIDE. My colleague [Mr. ANTHONY] is paired with the Senator from Ohio, [Mr. THURMAN.] If my colleague were here, he would vote "yea."

The result was announced—yeas 31, nays 11; as follows:

YEAS—31.

Allison,	Davis of W. Va.,	Jonas,	Ransom,
Bayard,	Farley,	Lamar,	Rollins,
Beck,	Ferry,	McDonald,	Saunders,
Booth,	Garland,	McMillan,	Vance,
Burnside,	Hampton,	Maxey,	Vest,
Butler,	Hereford,	Pendleton,	Voorhees,
Cameron of Pa.,	Hill of Colorado,	Pugh,	Williams,
Coke,	Johnston,	Randolph,	

NAYS—11.

Bailey,	Eaton,	Logan,	Plumb,
Brown,	Jones of Florida,	Morgan,	Teller.
Call,	Kernan,	Paddock,	

ABSENT—33.

Anthony,
Baldwin,
Blaine,
Blair,
Bruce,
Cameron of Wis.,
Cockrell,
Conkling,
Davis of Illinois,

Dawes,
Edmunds,
Groome,
Grover,
Hamlin,
Harris,
Hill of Georgia,
Hoar,
Ingalls,

Jones of Nevada,
Kellogg,
Kirkwood,
McPherson,
Morrill,
Platt,
Saulsbury,
Sharon,
Slater,

Thurman,
Walker,
Wallace,
Whyte,
Windom,
Withers.

So the amendment was ordered to lie on the table.

Mr. LOGAN. In line 188 of section 1, I move to strike out "one hundred and fifty" and insert "two hundred;" so as to read:

Improving outside harbor at Chicago, Illinois: Dredging in outer harbor and constructing exterior breakwater, \$300,000.

I suppose this amendment will receive the same fate as all other amendments; but I want to show why it should not; at least I want to show the impartiality of this bill. It is not necessary for me to detain the Senate by telling Senators of the importance of Chicago itself as a great city and of its share of the commerce of the country and of the importance of Lake Michigan. The appropriation is \$150,000 for dredging the harbor and for extending the breakwater. The Engineer reports that it will take \$580,000 to complete this harbor, and that this year they should have \$300,000:

The appropriation of \$300,000 asked for is to be applied as follows: For dredging the outer harbor, \$50,000, and for continuing construction of exterior breakwater, \$250,000. With these amounts it is expected to dredge about two hundred thousand cubic yards and to build at least 2,000 linear feet of breakwater.

Mr. HEREFORD. Will the Senator from Illinois allow me to ask him a question?

Mr. LOGAN. Yes, sir.

Mr. HEREFORD. Is he aware of the fact that the Engineer report shows that there was at the date of the report \$166,291.96 available for that harbor in addition to the appropriation we are making?

Mr. EATON. Making over three hundred thousand dollars.

Mr. LOGAN. The appropriation that is made now is for the fiscal year commencing the 1st of July next.

Mr. HEREFORD. But there is \$166,000 already unexpended.

Mr. LOGAN. For the year commencing the 1st of July, the engineer recommends in his report \$300,000 to carry on the work till June 30, 1882. The money that is in the hands of the engineers available will be expended by the 1st of July next. You do not appropriate that because it is not turned into the Treasury until the 30th of June. So there is nothing in that statement. That money is being expended and will be exhausted by the 1st of July.

It is very important that this breakwater should be extended. It has been delayed a great while. Without going into details as to the number of vessels that are lost every year there on account of facilities not being afforded, the papers are full of them all the time. This is an absolute necessity if there is any necessity for a harbor at Chicago, which everybody knows there is.

I do not wish to attack the bill or anybody connected with it, nor do I intend to do so; but I do insist that where there are great harbors like this harbor at Chicago, where there are great interests, where there is a great commerce as there is there, it is at least due to those people that the harbor should be completed as soon as possible. Five hundred and eighty thousand dollars is the estimate for this year, and \$300,000 next year would complete the harbor. If you fail now to appropriate anything like the sum asked, if you appropriate only \$150,000, that does not near complete it; and it will take three years longer to complete that harbor according to this manner of appropriating money. It does not seem to me that that is wisdom; it certainly does not seem to me that that is economy, but I think it is great injustice.

Mr. RANSOM. Mr. President, I will not take up the time of the Senate to-night to argue each one of these amendments as they come up; I cannot do that well in the time I have. I will simply say in reference to the harbor of Chicago that the same or about the same ratio which has been observed in reference to all the other large harbors of the country between the appropriations and the estimates of the engineers has been observed there. This evening, upon the statement of my friend from Illinois that an increase of appropriation would complete a certain improvement in his State, I at once conceded the principle and asked for the passage of his amendment; but now I must ask the Senate to vote his amendment down, and I move to lay it on the table.

The PRESIDING OFFICER. The Senator from North Carolina moves to lay the amendment of the Senator from Illinois on the table.

The motion was agreed to.

Mr. LOGAN. I have another amendment. In the appropriation for "improving Ohio River, \$350,000," on page 12, I desire to call the attention of the Senate to the language of the clause:

Of which sum \$150,000 may, in the discretion of the engineers, be expended on Davis Island Dam, and \$200,000 on the river from its mouth to its head: *Provided*, That \$50,000 of the last-named sum may, in the discretion of the engineers, be expended on Indiana Chute.

According to the language of this provision the engineers may expend every dollar of the money that you appropriate, except the \$50,000 assigned to Indiana Chute, on Davis Island Dam, and I am not sure but what that is the intention of the committee. If Senators will examine the report of the Engineer in reference to the Ohio River, they will find that he even suggests to Congress the kind of bill that

should pass; he even suggests the title of the bill; in fact he intimates to Congress that they do not know anything about it, but must fix up the bill just as he suggests. I think from this bill he probably was correct in that.

Now, I propose that \$50,000 of this amount appropriated for the improvement of the Ohio River shall be applied to the work on the Grand Chain. The Grand Chain in the Ohio River is twenty miles above Cairo, a very shallow, rocky bar, on which there has been a considerable amount of money expended and on which a considerable amount more of money will have to be expended in order to make good navigation. It is one of the most important points on the Ohio where work should be begun and completed. The report of the Engineer, which I will not take time to read, suggests that this amount of money would about complete that work; but instead of that the committee provide that all the money except \$50,000 may be expended up near Pittsburgh; that is, the money may be expended at the upper end of the river and leave the extreme lower end, within twenty miles of the mouth of the river, without any money whatever for its improvement.

This amendment that I propose does not increase the appropriation one dollar. I merely ask that the amount which is estimated for this Grand Chain, this bar, for building the wings and dam as reported, shall be assigned to that work. It does not increase the appropriation one cent.

Mr. RANSOM. It was the purpose of the committee at one time, upon amendments submitted by the Senator from Ohio [Mr. PENDLETON] and the Senator from Illinois, [Mr. LOGAN,] to make that change in this appropriation; but the committee received a telegram, which I have been looking for but cannot find, the substance of which I remember very distinctly, saying that there was now money appropriated and already applied sufficient to complete the improvement to which my friend from Illinois alludes.

Mr. LOGAN. Appropriated?

Mr. RANSOM. Appropriated in the last bill and now dedicated to that purpose.

Mr. LOGAN. I should like to see a telegram of that kind.

Mr. RANSOM. The telegram is from the engineer in charge of the river, and I wish I could lay my hand on it, for it was that telegram which determined the action of the committee. I am obliged to ask that this amendment may be laid on the table after that explanation.

Mr. LOGAN. Will the Senator please not be in so great haste about laying on the table?

Mr. RANSOM. The Senator from Illinois cannot complain of any want of courtesy on my part to him.

Mr. LOGAN. There is no want of courtesy except in moving to lay the amendment on the table while I have the floor.

Mr. RANSOM. The Senator from Illinois had yielded the floor, and I had made my statement, having been recognized by the Chair.

Mr. LOGAN. On examining the report of the Engineer, in his statement of the amount required, I find nothing showing the amount of money on hand for the purpose of completing that work. I find nothing of that kind.

Mr. RANSOM. But, Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. LOGAN. Certainly.

Mr. RANSOM. This amendment does not affect the general character of the bill. I only state to the Senate what was sent here by the Engineer and what controlled the committee. If the Senate see fit to adopt this amendment—and I am willing to have them vote on it—it does not increase the appropriation; and I may be mistaken.

Mr. LOGAN. I will change the amendment in this way, so as to meet the statement of the Senator.

A sum sufficient of this appropriation shall be expended in continuing the work at Grand Chain Rapids to complete the work.

Is there any objection to that?

Mr. RANSOM. I am willing to have this amendment go in:

Provided, That of this sum an amount not exceeding \$50,000 may be applied to Grand Chain, if it will complete the work.

Mr. LOGAN. Do not say "if it will complete the work."

Mr. RANSOM. Well I am willing for it to go in any way.

Mr. LOGAN. If the engineer has that amount of money this will not affect it; but I want at least that much of the amount of money applied to Grand Chain, on the Ohio River.

Mr. RANSOM. To complete the work?

Mr. LOGAN. Certainly, to complete the work.

Mr. RANSOM. Put it in this form; add to the proviso:

And that not exceeding \$50,000 of this sum may in the discretion of the engineers be expended on Grand Chain Rapids to complete the work.

Mr. DAWES. I suggest "or so much thereof as may be necessary to complete this work shall be applied."

Mr. RANSOM. Yes, "not exceeding \$50,000."

Mr. LOGAN. I am willing to agree to that.

The PRESIDING OFFICER. The question is on the amendment as thus modified.

The amendment was agreed to.

Mr. McDONALD. I should like to know in what form the amendment is adopted.

Mr. BROWN. I have three or four amendments that it is my duty

to offer, and I want the yeas and nays on the amendment as to Romerly Marsh. I do not intend to discuss the question further unless it is necessary to say something in reply to some remarks made about it. If the Senate will permit me to have the different amendments read in their order, I will simply ask a vote by sound on each one in order, and not call for the yeas and nays on either.

The PRESIDING OFFICER. The Senator will send his amendments to the desk and they will be read.

Mr. BROWN. I will send the first one.

The CHIEF CLERK. It is proposed, after line 144 of section 1, to insert:

Improving the navigation of Romerly Marsh, Georgia, to facilitate the navigation of the inland channel by route C to F, by way of Warsaw Island, as reported in the survey and map contained in the engineer's report submitted by the Secretary of War, the sum of \$20,000: *Provided*, The Georgia and Florida Island Steamboat Company will, as proposed by said company, cut the canal and complete the work in accordance with the plan and recommendations of the department of engineers, by which the work is estimated to cost \$31,680, the work to be done under the supervision of the department of engineers, and completed in all respects as the plan of improvement recommended by the engineers requires, for the sum of \$20,000.

Mr. BROWN. That is the first amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Georgia just read.

The amendment was rejected.

Mr. BROWN. Now, in line 138 of section 1 I move to strike out "five" and insert "ten;" so as to read:

Improving harbor of Brunswick, Georgia, \$10,000.

The amendment was rejected.

Mr. BROWN. Now, in line 544 of section 1 I move to strike out "five" and insert "ten;" so as to make the item read:

Improving Ockmulgee River, Georgia, \$10,000.

The amendment was rejected.

Mr. BROWN. In line 547 of section 1 I move to strike out "two thousand five hundred" and insert "ten thousand;" so as to read:

Improving Oconee River, \$10,000.

The amendment was rejected.

Mr. BROWN. In line 552 of section 1 I move to strike out "eight" and insert "fifteen;" so as to read:

Improving Savannah River above Augusta, Georgia, \$15,000.

The amendment was rejected.

Mr. BROWN. In line 848 of section 1 I move to strike out "fifteen" and insert "forty;" so as to read:

Improving Savannah River, Georgia, \$40,000.

The amendment was rejected.

Mr. BROWN. In line 856 of section 1 I move to strike out "five" and insert "ten;" so as to read:

Improving the Altamaha River, Georgia, \$10,000.

The amendment was rejected.

Mr. BAILEY. I move, in line 665 of section 1, to strike out the word "fifteen" and insert "twenty-five;" so as to read:

Improving Cumberland River, below Nashville, Tennessee, \$25,000.

I wish to say one word. I will not detain the Senate. I am not encouraged by the action taken to-night to expect that the amendment which I have offered will be adopted; and yet I submit to the chairman and gentlemen of the committee, and to the gentlemen of the Senate, that I hope they will think proper to adopt the amendment. Cumberland River, flowing through the States of Kentucky and Tennessee, is navigable for a distance of five hundred miles. There are shoals upon this river that offer a very serious obstacle to its navigation. I wish to call the attention of the chairman of the committee, and of the gentlemen of the committee, to the fact that the estimate made by the Engineer is for an expenditure this year of \$41,000. They have given to us but \$15,000.

I need not speak of the commerce on that river, of the value of the exports, of the value of the imports. It flows through the States which I have named, passes by the capital city of our State, with 45,000 inhabitants, one of the most prosperous cities in the South, one of the most progressive in all its industries. This expenditure is absolutely necessary, as I am assured, to secure the navigation of the river, and I trust the Senate will reverse the action that has been taken on the amendments moved by the Senator from Georgia. I ask for but \$10,000 additional, and I hope the Senate will not refuse that \$10,000 for this improvement. I hope the Senator from North Carolina will not move to lay it on the table, but will let us have a direct vote.

Mr. RANSOM. I am opposed to the amendment, but I am willing that the Senator from Tennessee should have a direct vote upon it, for that takes no longer time.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Tennessee, [Mr. BAILEY.]

The amendment was rejected.

Mr. SAUNDERS. On page 32, section 1, after the word "dollars," in line 773, I move to add:

Improving Missouri River from Yankton, Dakota, to Kansas City, Missouri, \$35,000.

I wish to make just one remark on that subject. I am very certain that the necessity for the improvement of the Missouri River has been overlooked by the committee of the other House, and, I think, by our

own committee. I am in favor of liberal appropriations for the improvement of the main rivers of this country, and for the harbors, to keep them in good navigable order. I think it is necessary to keep the rivers open in order to keep the railroads within bounds, so far as their charges are concerned.

I find that from Saint Louis up the Mississippi River—and I have no disposition to complain of the amount appropriated for that river—there is appropriated more than \$1,000,000; I think there are five different items, making over one million dollars; while on the Missouri River the whole amount appropriated is less than one-quarter of that sum. From Kansas City to the mouth of the river there has been recommended by the Senate committee \$35,000 for the purpose of improving the navigation of the stream, which, as I understand, will be used, or a part of it at least, for the purpose of employing a snag-boat to be used in that part of the river. That is the object we have in view in this amendment. We have a small appropriation for the improvement of the river near some of the larger towns, but nothing to keep the bars open and the snags out between; and for that reason I have asked that \$35,000 be appropriated, which shall be used in keeping a snag-boat at work in that part of the river during the navigable season.

If I were to present some figures which I have prepared on this subject, but which I shall not ask to do at this time for want of time, they would astonish many of the Senators who are not familiar with that part of the country. The figures I allude to give the quantity of grain of the different kinds raised the last year in the States of Kansas, Nebraska, Iowa, Dakota, and the northwest part of Missouri. I allude, of course, to that part of the country which lies contiguous to and would furnish business for the transports on the Missouri River. I believe I will ask to have the statement I allude to printed.

Mr. RANSOM. That is right; let the Senator publish the statement.

Mr. SAUNDERS. I will furnish the statement and have it printed at a future time. In order to keep this river open, which is one of the great arteries of commerce for our country, it does seem to me that a reasonable sum should be appropriated. I offer the amendment with some hope of success, and I trust the sum asked for will be granted to us to aid in this necessary work.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska, [Mr. SAUNDERS.]

Mr. RANSOM. I hope the amendment will not be adopted.

The amendment was rejected.

Mr. PADDOCK. Now, I propose an amendment which will not cost a dime, but will be in the direction of justice and propriety. In line 756 of section 1 I propose to strike out "Kansas City" and insert "Sioux City;" so that the clause will read as follows:

Improving the Missouri River from Sioux City to its mouth, \$35,000.

It is not necessary, after the remarks which have been made by my colleague in reference to the importance of this improvement, to make a speech. I am not going to do that. I have too much regard for the Senate to do that at this time or any other when it is not necessary; but I do say that the application of a portion of this fund ought to be made to that part of the river above Kansas City, between that and Sioux City. The distance from Kansas City to the mouth of the river is about three hundred and fifty miles. The distance from Kansas City to Sioux City is about eight hundred miles, and that is a very important part of the river. All I ask is that this amount may be distributed over the entire distance.

Mr. PLUMB. I ask the Senator from Nebraska if he has made any calculation of the amount that would be per mile—eleven hundred miles at \$35,000?

Mr. PADDOCK. That is not essential to the question at the present time. It may be that the engineers or those who are engaged in this work will discover when they come to examine the river that the money had better be applied above rather than below. What I want is that the appropriation may be in such shape that the engineers, in their discretion, may apply it where it seems to be best, that is all, giving all that part of the river above an equal chance with that below.

Mr. PLUMB. I desire to ask the Senator from Nebraska why, if it is to be done according to the estimates of the engineers, and Congress is not to give any direction, we had better not appropriate a lump sum for everything?

Mr. PADDOCK. There is no special estimate in respect to this particular matter. It is simply for the improvement of the river between Kansas City and its mouth. It is in pursuance of a survey which was ordered two or three years ago from Sioux City to the mouth of the river. It does not apply to any special survey from Kansas City to its mouth. It is only in pursuance of a general survey from Sioux City to the mouth of the river.

Mr. PLUMB. But if it is extended according to the judgment of the engineers, why not give it to them at large to expend it as they please in the United States?

Mr. PADDOCK. That question is too absurd to consider.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska, [Mr. PADDOCK.]

The amendment was rejected.

Mr. HAMPTON. Mr. President, I propose to do what nobody else has done heretofore; that is, I propose to withdraw an amendment which I had the honor to submit; but before doing so I wish to say

that I do it for two reasons. The amendment to which I refer is one to increase the appropriation for Charleston Harbor, and I take it that no more meritorious appropriation has been offered to this bill or embodied in it. The Chief Engineer says that he can expend \$600,000 with advantage. I proposed to increase the appropriation from \$175,000 to \$250,000; but I see from the temper of the Senate that no amendments are likely to prevail; and while I think that none could be more important than that harbor, so important on the Atlantic to the great commerce of the West, I propose to withdraw it, not only because it will embarrass the Senate but because I do not wish to embarrass this bill. I realize that this bill, unless it is passed to-night, will fail; and some one has said that true statesmanship is to take the next best thing to that which you want when you cannot get what you want. While I object to a great many things in the bill, I propose to vote for it, and I propose not to embarrass the committee by any action of mine, and I therefore withdraw my amendment.

Mr. LOGAN. I desire, on page 30, after the word "dollars," on line 714 of section 1, to insert the following amendment, which is merely to fix a portion of the appropriation according to the report of the engineers:

Of which sum \$50,000 shall be expended in continuing work at Kaskaskia Bend, and \$50,000 shall be expended in continuing work and removing obstructions at the foot of Dickey's Island.

If there is objection to this it will take some time, and I can show the Senate that the Engineer's report, which is quite long, in reference to Kaskaskia Bend, which is the first proposition, shows the difficulty of this work, and the necessity of it, and he says in conclusion that \$50,000 can be expended this year for protection; it is washing out rapidly. I could describe it by going on at length. I have the maps here; but I do not want to take up time. I have put the amount at \$25,000. There has been but \$18,000 expended in the work thus far. The Engineer says it will take much more; but "\$50,000 could be expended this year to advantage if specially and independently provided." That is exactly what the Engineer says, and so I propose the amendment.

Then, at Dickey's Island, near the junction of the Ohio and Mississippi Rivers, the Engineer makes a report in which he says he desires \$50,000 to be expended there during this year. Any gentleman who is conversant with the Mississippi River between the mouth of the Missouri and the mouth of the Ohio well knows that these two places require work more than any other places on the Mississippi River at this time, or as much, at least. Out of the \$600,000 I desire but \$75,000 to be appropriated in this way; that is, specifically allotted to this purpose. If there is any objection to that, I should like to hear it; if not, I should like to have the amendment agreed to.

Mr. RANSOM. The Senator from Illinois knows very well that I would agree to the amendment if I could with propriety; but these appropriations of \$1,000,000 for the Mississippi River below Cairo, and \$600,000 for the Mississippi from the mouth of the Ohio to the mouth of the Illinois, are both appropriations under the direction of the Engineer Department. They have recommended that they be put in this form; and if I was to begin to permit one gentleman along the stretch of that river to take certain parts of the appropriations and apply them to particular works along the line, I do not know where it would end. Every gentleman in Missouri, in Illinois, in Iowa, and all down and up the Mississippi River would propose to apply a certain part of the money to harbors or places in his own State. I think it is a great deal better to leave that matter to the engineers. The Senator knows very well that at the last session an amendment was put on the river and harbor bill creating the Mississippi River commission, and it is on the recommendation of that commission that this appropriation has been made.

Mr. LOGAN. I hope as I have not detained the Senate by reading the report, I shall have at least an opportunity of explaining this amendment which does not increase the appropriation. I ask nothing in the world here except what the engineer has asked. The engineer who has charge of the work says so in his report.

Mr. RANSOM. May I say one word to the Senator? If the engineer in his report has made that recommendation, the Senator from Illinois can safely trust the disposition of this fund to the engineer who has made that recommendation and he will then stand exactly in the same position that the other gentlemen on the Mississippi River do.

Mr. LOGAN. I am the representative of the people of Illinois in part. The Mississippi River washes the shore on which my constituents live, and I take the responsibility as representing that length of the Mississippi River on that side to make this proposition in accordance with the report of the engineers. I know that river as well as the engineers do. I do not see why, if I take the responsibility in accordance with the engineers' report of moving this amendment to affect my constituents all along the river, objection should be made. I do it because it is desired. I am not willing to let these things all be in the hands of the engineers. I have nothing to say about the Engineer Department or the Engineer Corps; but I know something about the influences which operate on men as well as others do, and I am not willing this should be left entirely to the engineer. I want it fixed in the appropriation bill for the reason that he suggested himself that it ought to be there so that the board of engineers cannot overrule it. There is where this amount of work is necessary, abso-

lutely necessary, and I hope the Senate will at least allow the representatives to have some responsibility in these matters.

If you are going to do just as the engineers say why not appropriate the money in bulk and turn it over to them and let them apply it where they please? I notice the Senator is very particular in making the applications down in his own State to certain rivers and certain places. Why not let the engineers do it there on the same principle that you want them to do it in my State? I am responsible for this amendment, and I offer it according to their report, according to their suggestion, and according to the wants of my constituents. It does not increase the appropriation one cent, it only says that so much of it shall be used for purposes which are absolutely necessary instead of being used to advance private property for which a great deal is used at times. This is for the purpose of benefiting the commerce of the river, and I hope the Senate will agree to it.

Mr. RANSOM. We have heard the Senator from Illinois. Now I move to lay the amendment on the table.

The PRESIDING OFFICER. The Senator from North Carolina moves to lay the amendment of the Senator from Illinois on the table.

Mr. LOGAN. I ask for the yeas and nays on that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McDONALD, (when his name was called.) On this question I am paired with the Senator from Illinois, [Mr. DAVIS,] reserving the right, however, to vote if my vote should be necessary to make a quorum. At present I will not vote.

The roll-call was concluded.

Mr. BURNSIDE. My colleague, [Mr. ANTHONY,] is paired with the Senator from Ohio, [Mr. THURMAN.] If my colleague were here, he would vote "yea."

Mr. McDONALD. I vote "yea" to help make a quorum.

Mr. FERRY. My colleague [Mr. BALDWIN] is paired with the Senator from Vermont, [Mr. MORRILL.]

The result was announced—yeas 28, nays 12; as follows:

YEAS—28.

Blair,	Davis of W. Va.,	Johnston,	Pugh,
Booth,	Ferry,	Jonas,	Ransom,
Burnside,	Garland,	Jones of Florida,	Rollins,
Butler,	Groome,	Lamar,	Vance,
Call,	Hampton,	McDonald,	Vest,
Cameron of Pa.,	Harris,	McMillan,	Voorhees,
Coke,	Hereford,	Pendleton,	Williams.

NAYS—12.

Bailey,	Hill of Georgia,	Morgan,	Randolph,
Brown,	Kernan,	Paddock,	Slater,
Dawes,	Logan,	Plumb,	Teller.

ABSENT—35.

Allison,	Conkling,	Ingalls,	Saunders,
Anthony,	Davis of Illinois,	Jones of Nevada,	Sharon,
Baldwin,	Eaton,	Kellogg,	Thurman,
Bayard,	Edmunds,	Kirkwood,	Walker,
Beck,	Farley,	McPherson,	Wallace,
Blaine,	Grover,	Maxey,	Whyte,
Bruce,	Hamlin,	Morrill,	Windom,
Cameron of Wis.,	Hill of Colorado,	Platt,	Withers.
Cockrell,	Hoar,	Saulsbury,	

So the motion was agreed to.

Mr. GROOME. I offer an amendment that does not add one cent to the amount appropriated by this bill. After line 182 in section 3 I move to insert:

And the Secretary of War is hereby directed to cause to be made by some officer of the United States Engineer Corps examinations and surveys of the lines over the peninsula between the Chesapeake and Delaware Bays which are most likely to prove best for a ship canal, especially of the two routes designated as the Sassafras and the Choptank routes, and of the approaches thereto, with a view to ascertaining the most feasible route for such a canal between the said bays of the depth of fully twenty-six feet at mean low tide and of one hundred feet wide at bottom throughout its entire length, and to estimate the cost of constructing such a canal and making the approaches thereto of a depth not less than that of said canal.

Mr. RANSOM. That is an amendment ordering a survey, involving no appropriation, and I will not object to it.

The amendment was agreed to.

Mr. CALL. I ask the attention of the chairman of the committee. On page 24, in line 556 of section 1, after the word "Newton," I move to insert "and the channel from the bay to the town of Freeport." It does not change the amount of the appropriation; it is only providing that part of the money shall be expended at the entrance to the river.

Mr. RANSOM. I do not know what change that may be. The appropriation intends to be now for the Choctawhatchee River up to Newton, \$10,000, and I cannot admit this amendment.

Mr. CALL. The chairman will allow me to say that it is altogether within my own knowledge that the appropriation simply applies to the bar at the mouth of the Choctawhatchee River.

Mr. RANSOM. I cannot admit the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Florida, [Mr. CALL.]

The amendment was rejected.

Mr. CALL. On page 24, line 562 of section 1, I move to change the phraseology, so as to read "continuing the improvement of the entrance of the Saint John's River, Florida." The bill as it now reads says "improving Saint John's River, Florida, \$100,000." The appro-

priation recommended by the engineers is for the improvement of the Saint John's River. It is merely a change of phraseology that I propose.

Mr. RANSOM. The amendment the committee passed upon contemplates the improvement of Saint John's River; but, as I understand the amendment now proposed by the Senator from Florida, he would confine the amount to the improvement of the mouth of the Saint John's River.

Mr. CALL. The whole improvement has been at the mouth of the river. The report of the engineers is for the mouth of the river. There is no desire to change it.

Mr. RANSOM. That being so, the engineers will put the money there. I would not like, after the committee have considered this question now, without any opportunity of looking into the whole matter, to accept this amendment. I have no doubt, the facts being as they are stated by the Senator from Florida, the engineers will so expend the money. I must object to the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Florida, [Mr. CALL.]

The amendment was rejected.

Mr. CALL. I desire to say without detaining the Senate that my colleague and myself had proposed to offer an amendment to this bill appropriating \$100,000 for the improvement of the bar at the entrance of the Saint John's River. This is of very great importance to the ingoing and outgoing commerce of Saint John's River, amounting to \$3,000,000. The estimate by the engineers is \$400,000 for the present year. We do not ask this appropriation in deference to the evident desire of the Senate not to amend this bill any further. We have thought it proper to say in regard to that and many other improvements in the State of Florida that they are within the maritime jurisdiction of the United States, and properly the subject of improvement and for which there is most urgent necessity. We refrain from urging the amendments because of the lateness of the hour and the impossibility of passing the bill if it be farther amended.

Mr. PLUMB. I desire to offer an amendment in line 6 of section 1, after the word "War," to insert "so far as he may deem the same necessary;" so as to put the expenditure of the appropriations contained in the bill in the discretion of the Secretary of War; and I hope there will be no objection to that amendment. There is a very large amount of money appropriated, and it may be that the condition of the Treasury during the coming year will not be such as to admit of this great expenditure. In addition to that, it has been stated on the floor by friends of the bill time and time again, and it is thoroughly understood to be correct, that the propriety of many of these appropriations is doubtful. They have been put in in the haste accompanying the formation of a bill of this kind; they are put in upon, perhaps, insufficient data. The Secretary of War and the engineers ought to have a discretion to say which ones of these different improvements shall be carried on to the extent named in the bill, and which may properly be omitted. It is not an unusual discretion; it is not a discretion that he will exercise with any partiality, but it is a wise discretion which ought to be vested in that officer, and especially in view not only of the very large amount of money appropriated, but in view of the character of very many of the improvements contemplated by the bill.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas.

Mr. PLUMB. I call for the yeas and nays.

Mr. RANSOM. I am so well satisfied that the Senate will not adopt the amendment that I shall have nothing to say about it.

The PRESIDING OFFICER. The Senator from Kansas calls for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. BURNSIDE. I desire to state that my colleague [Mr. ANTHONY] is paired with the Senator from Ohio, [Mr. THURMAN.] If my colleague were here, he would vote "yea."

The result was announced—yeas 4, nays 40; as follows:

YEAS—4.			
Dawes,	Logan,	Plumb,	Teller.
NAYS—40.			
Bailey,	Davis of W. Va.,	Hill of Georgia,	Pugh,
Bayard,	Eaton,	Johnston,	Randolph,
Beck,	Farley,	Jonas,	Ransom,
Blair,	Ferry,	Jones of Florida,	Rollins,
Booth,	Garland,	Kernan,	Slater,
Burnside,	Groome,	McDonald,	Vance,
Butler,	Grover,	McMillan,	Vest,
Call,	Hampton,	Maxey,	Voorhees,
Cameron of Pa.,	Harris,	Morgan,	Wallace,
Coke,	Hereford,	Pendleton,	Williams.
ABSENT—31.			
Allison,	Conkling,	Kellogg,	Saunders,
Anthony,	Davis of Illinois,	Kirkwood,	Sharon,
Baldwin,	Edmunds,	Lamar,	Thurman,
Blaine,	Hamlin,	McPherson,	Walker,
Brown,	Hill of Colorado,	Morrill,	Whyte,
Bruce,	Hoar,	Paddock,	Windom,
Cameron of Wis.,	Ingalls,	Platt,	Withers.
Cockrell,	Jones of Nevada,	Sansbury,	

So the amendment was rejected.

Mr. PADDOCK. I move, in lines 756 and 757 of section 1, to strike out "improving Missouri River from Kansas City to its mouth,

\$35,000" and to insert in the place thereof the words "improving Missouri River from Sioux City to its mouth, \$60,000."

That is simply allowing to that part of the river north of Kansas City to Sioux City, eight hundred miles nearly, \$25,000; \$35,000 being allowed for that part of the river below Kansas City, between that and its mouth. This embraces the greater part of the river upon which now is carried on the proper commerce of the river. The river, nevertheless, is navigable 3,000 miles. It is the largest navigable river of all, and yet the smallest appropriations of all is made for this river. It drains the most extensive and the most fertile valley in this country, which yields an enormous surplus of grain, which is shipped to the South and West. I think it is nothing more than right and proper under the circumstances that this amendment should prevail.

Mr. PLUMB. I hope this amendment will be adopted. It is entirely proper that this river should receive some recognition; but my friend from Nebraska has overlooked the principle of this bill. He complains that the large rivers are neglected. That is for a very obvious reason. Where there is water and there are facilities for boating appropriations are not necessary. Where there is no water and consequently the greater room for the exercise of the engineer's art, various plans must be resorted to for making channels, and of course it is necessary that appropriation should there be made.

Mr. VEST. I do not know how the Senator from Kansas voted on the last year's river and harbor bill, but I think he voted for it. My impression is that he voted for it with myself. That bill gave to the Mississippi River \$100,000 for general improvement. This bill gives \$1,600,000, and yet the Senator from Kansas says large rivers are not in this appropriation bill. That is all I desire to say.

Mr. PADDOCK. But this bill gives to the Missouri River, all told, less than \$300,000; very little more than we allow for the Illinois River, which is altogether in one State and not three hundred miles long.

Mr. VEST. This \$35,000 from Kansas City to the mouth of the Missouri River might be of some benefit. Scattered along eight hundred miles further up the river it would not be so.

Mr. PADDOCK. The Senator does not understand the amendment as now proposed. My amendment is to strike out the word "Kansas City" and insert "Sioux City" and to increase the aggregate appropriation from \$35,000 to \$60,000.

Mr. RANSOM. I must stop debate on this matter. Everybody knows that if I were to let my friend, the Senator from Missouri, once get his say here, and my friend from Nebraska, and my friend from Kansas, I could not hold this bill. I move to lay the amendment on the table.

Mr. PADDOCK. I call for the yeas and nays on that.

Mr. RANSOM. I will not make the motion to lay on the table, but will let the vote be taken on the amendment directly.

The PRESIDING OFFICER. The Senator from North Carolina withdraws his motion and the question recurs on the amendment offered by the Senator from Nebraska, [Mr. PADDOCK.]

The amendment was rejected.

The PRESIDING OFFICER. There was an amendment offered by the Senator from Vermont [Mr. MORRILL] which was laid on the table until that part of the bill was reached on page 41.

The CHIEF CLERK. On page 41, after line 988 it is proposed to insert:

Provided, That the President of the United States is hereby authorized and requested to make such deductions from the respective appropriations herein provided for as shall amount in the aggregate to the sum of \$4,000,000, and these deductions shall be made in such amount in each case as in the judgment of the President will best serve the public interest in advancing the most necessary improvements.

Mr. RANSOM. I move to lay that amendment on the table.

The motion was agreed to.

Mr. TELLER. I move to strike out the third section of this bill, and on that I desire to say a word or two. The third section is the section which provides for the examination and survey of all small streams in the country which have not already been surveyed and appropriated for.

Several years ago when these bills were before Congress they were kept within reasonable proportions; but after a little it became a custom to add to each bill a provision like this third section, that all the streams in the country should be examined, and the engineers report the result of their examinations and surveys. Whenever these examinations are made and the reports come in here, it seems that the Committee on Commerce of both branches consider that there is a direction to them to proceed to put them in the appropriation bill and provide for carrying on the work, no matter how absurd, no matter how impossible it may be of practical execution. When they come to the committee the committee put them in the bill; then when they report the bill to the Senate it is considered to be a full and complete vindication of the bill to say that the Engineer has so reported.

I desire to take back what I said in part, because I said it hastily and I do not want to do any injustice. I said that this committee had not come up to the Engineer's estimates. When I said so I had not given this bill that critical examination upon that subject which I ought to have done. I find that in two or three instances they have come up to the estimates, and in addition to that I find that they have in a few instances gone beyond the estimates. It is a remarkable circumstance that in every case, so far as I know, where they

have come up to the estimates, it has been where a member of the committee resides in the State in which the improvement was to be made. I do not desire to say anything that looks like a reflection on the committee; I know how much pressure there is on the committee, and I have a great regard for the members of the committee, especially some of them who are sitting here very near me; but it is a little remarkable that they never should be able to reach the estimates in any State that was not blessed and honored with a member on the committee; and it is a little astonishing that in the two instances where they exceed the amount, in one \$5,000 and in the other \$10,000, it should be in the State of the honorable chairman of the committee.

On looking at the bill more carefully and comparing it with the estimates sent to Congress by the Secretary of the Treasury, I find several items provided for in this bill which are not provided for in the estimates. I find in the State of North Carolina that while the estimates submitted to Congress upon which we are supposed to be acting proposed for improving the Cape Fear River from Wilmington to Fayetteville \$20,000, the committee report \$30,000. Then I find:

Improving Currituck Sound, Coanok Bay, North River and Bar, North Carolina, \$30,000.

While the estimate sent to Congress was \$20,000.

Mr. VANCE. What sound?

Mr. TELLER. The item is on page 22, lines 509 and 510. Then following on down the page I find on line 523 and further on three items, one for Contentnia Creek, \$10,000; Beaufort Harbor, \$30,000; and Lillington River, \$3,000. I do not know, but I presume that some engineer has some time made an estimate for these.

Mr. LOGAN. Will the Senator allow me a suggestion in reference to that?

Mr. TELLER. Certainly.

Mr. LOGAN. I may be mistaken, but it strikes me this is the way of it: they have appropriated more than the engineers estimated, for the intention was to have money to condemn the land upon which the river is to be made.

Mr. TELLER. I rose principally for information for myself; I did not expect to impart any to anybody, but I am glad of the suggestion.

I find that there is \$15,000 over the estimates in these items, and I find here \$33,000 on one page not estimated for at all. Then I find on the next page another item of \$1,000 that I was unable to discover any estimate for. It is barely possible that some engineer who straggled off down there has made a suggestion that these were good streams upon which the Government could spend its money. We have been now four or five years pursuing this particular course. We have run our appropriation bills so high that I think there is a paucity now of streams upon which the science of the Engineering Department can be exerted, and I think possibly that somewhere in some engineer's report there may be an estimate, but there is certainly none in the estimates submitted to Congress.

The Senator from Illinois suggests that perhaps this money is appropriated to condemn the land. I think it likely that that is so. We appropriated a large amount of money to a stream up in West Virginia a few years ago, and soon after the honorable Senator, who is one of the Committee on Commerce, [Mr. HEREFORD,] came to the Senate with a bill, and I believe he passed it, to pay for the land on which the Government had built this river, where they had dug a channel for it to run in when the heavens let it down water in sufficient quantity. That is about a sample of this whole bill. I know that Senators sit here to-night and say it is not worth while to talk about it; but when a claim comes here representing an honest man who has put his money into the coffers of the Government, I have seen the Senate spend a day rather than pay \$10,000 or \$15,000 of money that was honestly due a citizen of the United States for fear there was some waste of the public funds, some wrong to the taxpayers; but here if the Senate was put upon its oath there would be a majority who would have to admit that there is more than one-half of this bill that is an absolute waste, and in my judgment in utter violation of the constitutional power of the Senate. I do not believe that wherever there is a little branch that does not run to tide-water, and will not float more than a canoe, the Senate has the moral or legal right to vote the money of the people of the United States to that.

But I am not disposed to talk for the sake of delaying this bill. I know that it is to pass, but I want the country to understand that this thing will eventually do as has been suggested, break down the system; it will compel the American people to abandon all internal improvements.

I know that the democratic party here to-night is almost solid for this kind of a proceeding. I know that in the face of their history and in the face of their professions, in the face of their declarations made again and again at their conventions and at almost every one, the whole democratic party pretty much is solid for this bill, and a very large and respectable majority on our side is in the same way. The fact is they have all got a little of this pork, and that is what is the matter. They have all got a finger in this bill. It is not pleasing to say it, but nevertheless if it was not so the bill would not pass.

Senators say Colorado has not got anything in the bill. Mr. President, Colorado does not want anything in the bill. There are streams in Colorado that are as much entitled to the assistance of the Govern-

ment as a majority of the streams in this bill, and if you want to build reservoirs and fish-ponds at the head of the Mississippi River or its tributaries, that is the country to build them, where nature has provided natural reservoirs and where the water could be utilized for the purpose of making the desert blossom like the rose. But nothing of the kind is intended and nothing is asked in that way by the Representatives from that State. Take the river that runs from the Missouri into the heart of Colorado that is as susceptible of navigation as half of these streams—and you cannot float a saw-log through that more than half the year—and if that was here with a big bonus it would not make any difference to me.

These appropriations are not of the character that benefit the country, and the country is not a bit better off when you have got through with all of this outlay of money than if you had put it in the fire. If we come here and propose for the benefit of the whole country a scheme to educate the children, we are met by the very Senators who are now contending for this outrageous outlay of money, first with a constitutional objection, and then, if we overcome that, we should be met with the suggestion that the people could not afford this great outlay of public money even for so beneficent a purpose as that.

The PRESIDING OFFICER, (Mr. HARRIS in the chair.) The question is on the amendment proposed by the Senator from Colorado, [Mr. TELLER.]

Mr. RANSOM. I move to lay the amendment on the table.

The motion was agreed to.

The bill was reported to the Senate as amended.

Mr. THURMAN. Mr. President, when I was a boy there was some firing of cannon in my town one day when I was on my way to school; I inquired what that firing of cannon meant, and I was told that the democrats were firing at the news about General Jackson's veto of the Maysville road bill. That road passed through the town in which I lived, and yet the democracy of that town were so much in favor of the principles of that veto that they fired cannon over it.

Mr. HILL, of Georgia. Will the Senator from Ohio allow me to say that the trouble with his argument is that there has been a good deal of cannon fired since that date.

Mr. THURMAN. Yes, there has been; and now, Mr. President, that veto message which received the approbation of the whole democracy of the United States has fallen into such disgrace that we are told the democracy of the United States must make a new departure, that they must quit the old straight-laced notions of the fathers, and that they must go for what is called a liberal policy, and vote away just as much money from the national Treasury as their votes can effect.

Mr. President, I am an old man and an old democrat, and I cannot train in these new ways. I cannot agree that the Treasury of the United States shall become a Treasury of communism. Political economists have found much difficulty in ascertaining what is the annual product of the earth, but they have found immense difficulty in fixing how that annual product is to be distributed. If the Congress of the United States is to become the chief agent in distributing the annual product of the United States; if it is to tax not the wealthy men of the country, for all taxes really come in the end from the producing classes of the country; if it is to take their hard earnings and distribute them according to the interests of members of the other House and of Senators in Congress; if we are to have this kind of communism, let us know it. "I'll none of it."

This bill is not a right bill; every member on this floor, I believe, feels that it is not a right bill. Sir, I am in favor of a bill that shall appropriate money properly and rightly to benefit the commerce of this country; but I am not in favor of a bill that appropriates money for the improvement of streams where a tadpole could scarcely wriggle. I am not in favor of benefiting Mr. A's chance for re-election to the House of Representatives by voting for a bill that improves some tadpole stream in his district or some other stream so that a catfish can swim in it.

Mr. President, this whole thing is anti-democratic and against the teachings of the fathers. When I say "anti-democratic" I ought to correct myself. No man, democrat, federalist, or whig, ever supported such a bill as this—

A SENATOR. What about the republicans?

Mr. THURMAN. Well, they have changed the Constitution so that I do not know what they do not support.

I am not to be very long here; a very few days will end my political career forever; and I wish to leave this Senate with the kindest feelings for every member of the body, and I do most sincerely desire that I may, and when I make these remarks I know that I run counter to the opinions of men whom I dearly love and who I believe love me in return; but I wanted to say before I leave the Senate a few words of soberness and truth, and therefore I have said what I have.

Mr. RANSOM. Mr. President, the Senate knows me too well to fear for one second that I intend to prolong this debate, for I am very anxious to have a vote. ["Vote!" "Vote!"] Only one word. I have before me a memorandum of seven river and harbor bills, amounting in all to over six million dollars, approved from 1830 to 1837 by Andrew Jackson. I have high democratic authority when I show my friend that I can answer him to-night by his vote on this bill at the last Congress. Then he voted for the river and harbor bill, I am very happy to say. If I can give any better democratic authority in this world than Andrew Jackson and the Senator from Ohio, I do not know where to find it.

Mr. THURMAN. The Senator, I think, is entirely mistaken when he says I voted for the last river and harbor bill.

Mr. RANSOM. No, sir, I am not mistaken.

Mr. THURMAN. I think the Senator is.

Mr. RANSOM. I would not dispute anything with the Senator.

Mr. THURMAN. I voted—and I shall beg to be pardoned for it—for a good many of these bills, but I think I was not guilty of the crime of voting for the last one.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole. Shall the vote be taken in gross or separately? ["In gross!"]

Mr. TELLER. Separately.

The PRESIDING OFFICER. If a separate vote is demanded, the vote must be taken separately. Is a separate vote demanded on any of the amendments?

Mr. PLUMB. The last amendment, striking out section 3.

The PRESIDING OFFICER. Does the Chair understand the Senator from Kansas to suppose that section 3 was stricken out?

Mr. PLUMB. No; I desire to reserve the amendment moved by the Senator from Colorado to strike out section 3.

The PRESIDING OFFICER. It has gone and cannot be reserved. That is not the report of the Committee of the Whole. It has been laid on the table in Committee of the Whole.

Mr. PLUMB. Then it will be in order to renew that motion in the Senate?

The PRESIDING OFFICER. When the Senate has acted on the amendments made as in Committee of the Whole, the bill will be open to amendment.

Mr. PLUMB. A motion to strike out that section can be made then?

The PRESIDING OFFICER. The Chair will act upon that question when the time for it comes.

Mr. INGALLS. I should like to understand about that. That amendment was acted upon in Committee of the Whole, and the question ought to be determined now whether my colleague can reserve a vote upon that, or whether it can be renewed subsequently.

The PRESIDING OFFICER. The Chair has held and continues to hold that the amendment proposing to strike out the third section having been laid upon the table is not an amendment now pending in the Senate. When the amendments made as in Committee of the Whole have been acted upon by the Senate, the bill will be in the Senate and open to any amendment that would be ordinarily in order under the rules of the Senate. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. PLUMB. I move to strike out all of the third section except the last line. I want to save White Oak River in North Carolina, and therefore will not move to strike that out. It is the last line of the section.

The PRESIDING OFFICER. The section the Senator from Kansas proposes to strike out is five or six pages long. Is the reading of the section demanded? ["No!" "No!"] Will the Senate agree to the motion of the Senator from Kansas to strike out the third section with the exception of the last line?

Mr. PLUMB. I do not care to discuss again, and especially at any great length, the objections to the third section advanced by the Senator from Colorado. I desire, however, to call attention to the remarks made by the Senator from Missouri, in which he rather impeached my consistency, because, he said, I had voted for the last river and harbor bill, which had very little in it for the improvement of the Mississippi River, and was now opposing one which had a great amount in it for the improvement of that stream. I hope I shall not be subject to the charge of voting for or against a bill because it may have more or less in it of the things which I may have or be assumed to have some personal interest in.

This bill has in it some considerable appropriation for the improvement of the Mississippi River, and a comparatively small one for the improvement of the Missouri River. The improvement of both these streams is a matter of great consequence to the State of Kansas; but it is not of sufficient consequence, as I think, to induce me, in deference to the wishes of the people of that State, to vote for a large number of appropriations which I know are not proper to be made; and when I say I know they are not proper to be made I am re-enforced by the statements which have been made privately and more or less publicly by a large number of the supporters of this bill, who say, "Just give us this bill this year, and next year we will make a better one." I never knew so good a time to commence reform as the present; but it is not in the hope that any reform will be made that I am addressing the Senate. I desire to record my vote against the passage of a bill which appropriates three or four million dollars to improve streams which are of no account for navigation or for any kind of commerce whatever, and to say that if the amount for the Mississippi River were doubled or were quadrupled my opinion would still be the same.

In addition to that this appropriation for the improvement of the Mississippi River, as I construe it—and I shall have ample evidence before the Senate reassembles again—is not for the improvement of the Mississippi River at all. It is for the erection of levees along that stream, notwithstanding there is a statement here which might seem to admit of another construction. That is not for the benefit

of commerce so much as it is to improve somebody's private property. It is not only to improve somebody's private property, but it is to improve a class of property for which Congress has heretofore made large subsidies in land. It is not intended or designed in any way to aid or add to the navigability of the Lower Mississippi. It has only this scope and perhaps no other, namely, the improvement of the swamp lands lying upon the lower part of that stream. That is what we are coming to. That was the intention of the constitution of the Mississippi River commission, and it is simply a part of the flower, the fruit of the institution of that commission that we are appropriating this year \$10,000,000; and I shall be surprised next year if we do not have a bill here for the appropriation of \$20,000,000. This thing grows by what it feeds upon. A combination made this year embracing certain streams notoriously not navigable, not to be found on any map of the United States, not to be found on any local map whatever, is susceptible of indefinite enlargement.

Mr. THURMAN. Or in any gazetteer.

Mr. PLUMB. Or in any gazetteer, or in the imagination of any man except some one on this floor or elsewhere who has made the suggestion whereby the committee was induced to act in putting that in the bill.

This matter might just as well be met now as at any other time. It is better to meet a bill that has \$10,000,000 in it than one with \$20,000,000. A bill that has \$20,000,000 in it is twice as strong as one that has \$10,000,000, and next year it will be \$20,000,000, and the combination grows. I have some reason to suppose, at least I imagine, that there might have been something added for the State of Kansas in this bill, for when men get to be liberal with somebody else's money the addition of a few thousand dollars more or less does not amount to a great deal.

Here we are providing for a new crop of appropriations next year. I ask the Senator from Missouri, who is deeply interested in the river which gives its name to his State, and in the Mississippi, which is a part of that great water-way, if he thinks that the appropriation for a permanent improvement of that great stream is to be enhanced by putting in here eighty streams to be surveyed and reported upon by surveyors next year; not Government engineers, not men now in the employ of the Government and resting under any obligations to the Government, but men employed in the locality for the purpose, interested by reason of their local relations and interest in making and reporting to Congress as large an amount of money as they can for the improvement in order to induce Congress to take the first step; and it is the first step that costs.

There has never been a case where an improvement has been started that it is not continued. It has rarely been the case where one was started and continued that it ever has stopped. Here are eighty-four new subjects of expenditure in the next river and harbor bill provided for. There is no question but that every one of these will turn up in the next bill, and I submit now to the committee that they have taxed the patience of the Senate a good deal. They will find, I think, that they have taxed the patience and the good-will and the common sense and judgment of the people of the United States a good deal, and I submit to them if it is not a good time to stop and to have this section stricken out, so that they can say that at least they have not laid out work for the future.

Mr. JONES, of Florida. Will the Senator permit me to ask him a question?

Mr. PLUMB. I will do so with pleasure.

Mr. JONES, of Florida. If this authority is given to the Engineer Department to make new surveys, is there no possibility of a hope that there will be adverse reports?

Mr. PLUMB. I am very thankful to the Senator from Florida for having asked me that question. I think there is no hope for an adverse report. I think that the Engineer Corps and all other corps under the employ of the Government or elsewhere, commissioned as these will be, will do as Paul did—magnify their office. They will report in favor of the appropriation of money for the purpose of improving all these streams. The report which I had before me a few minutes ago recommends the appropriation of hundreds of thousands of dollars for the purpose of securing a maximum depth of water in small streams of twelve inches, and that only water which can be used for navigation one way; to wit, down stream. There is no expectation that the boat that goes down it can ever go back, and there is no expectation that any boat can ever go down it except it goes down pushed by poles. In fact, the words "raft and push-boat navigation" are used. In other words, the maximum expectation is a channel of twelve inches, and I think in one case ten inches, and the maximum and only kind of navigation expected is raft navigation, and down-river navigation at that.

I think there ought to be some stopping-place somewhere, and I think section 3 is a good place to stop. I was in hopes that the motion of the Senator from Colorado would have been adopted, and that the committee would be willing to say that the improvements provided for in the body of the bill were sufficient, and that this new crop of expenditures for next year would not be thus anticipated and provided for.

The PRESIDING OFFICER. The question is, Will the Senate agree to the amendment proposed by the Senator from Kansas, [Mr. PLUMB?]

Mr. TELLER. Let us have the yeas and nays on that.
The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BURNSIDE, (when Mr. ANTHONY's name was called.) My colleague [Mr. ANTHONY] is paired with the Senator from Ohio, [Mr. THURMAN.] If my colleague were here, he would vote "nay."

Mr. LOGAN, (when the name of Mr. DAVIS, of Illinois, was called.) I desire to state that my colleague [Mr. DAVIS] is paired on this bill with the Senator from Louisiana, [Mr. KELLOGG.]

Mr. TELLER, (when the name of Mr. HILL, of Colorado, was called.) My colleague [Mr. HILL] is paired upon this bill with the Senator from Iowa, [Mr. ALLISON.] I do not know how my colleague would vote upon this question. He is opposed to the whole bill, and I presume he would vote to strike out.

The roll-call was concluded.

Mr. FERRY. I desire to state that my colleague [Mr. BALDWIN] paired with the Senator from Vermont, [Mr. MORRILL.] If my colleague were here, he would vote "nay."

The result was announced—yeas 12, nays 35; as follows:

YEAS—12.

Blair,	Kernan,	Paddock,	Saunders,
Eaton,	Logan,	Pendleton,	Teller,
Harris,	Morgan,	Plumb,	Wallace.

NAYS—35.

Bailey,	Coke,	Johnston,	Rollins,
Bayard,	Dawes,	Jonas,	Sansbury.
Beck,	Farley,	Jones of Florida,	Slater,
Booth,	Ferry,	Lamar,	Vance,
Brown,	Garland,	McDonald,	Vest,
Burnside,	Groome,	McMillan,	Voorhees,
Butler,	Hampton,	Maxey,	Walker,
Call,	Hereford,	Pugh,	Williams.
Cameron of Pa.,	Hill of Georgia,	Ransom,	

ABSENT—23.

Allison,	Conkling,	Hoar,	Platt,
Anthony,	Davis of Illinois,	Ingalls,	Randolph,
Baldwin,	Davis of W. Va.,	Jones of Nevada,	Sharon,
Blaine,	Edmunds,	Kellogg,	Thurman,
Bruce,	Grover,	Kirkwood,	Whyte,
Cameron of Wis.,	Hamlin,	McPherson,	Windom,
Cockrell,	Hill of Colorado,	Morrill,	Withers.

So the amendment was rejected.

Mr. TELLER. I now move to strike out, commencing on the four hundred and seventh line, page 18, all of that page and down to and including the word "passes," in the four hundred and thirty-fifth line, on the nineteenth page. I want to say a word or two upon the amendment.

I am appealed to by Senators who say they want to vote. I do not like to detain the Senate, but I do not propose that this system shall be commenced without putting upon record my protest. I expect to live to see the day when every Senator who votes for it will regret his vote. I expect to see the day when the people who are interested in the honest administration of public affairs in connection with improvements will regret everywhere the adoption of this principle, because, as I said with reference to another subject, I believe it will eventually break down the river-improvement system in this country; and it cannot be carried out, the expense will be so great.

I desire to call the attention of the Senate to what this proposition is. It is nothing more nor less than because we have appointed a commission who went out to report upon a system of creating water, you may say, or creating permanent banks, if you choose, for the Mississippi River, and they have made a report to the Senate, we are bound because they made that report to accept it and to enter upon a system that they have recommended. I find that this commission made a report which is alluded to in the bill. The bill says:

For the improvement of the Mississippi River, in accordance with the plan therefor recommended in Executive Document No. 58, second session Forty-sixth Congress, by the Mississippi River commission.

I hold in my hand the document; and I want to say for myself—I am not responsible for the establishment of that commission—that while I have great respect for some members of the commission, while I believe if we are to send out a commission of men to adopt a system of leveeing the Mississippi River they are as capable as any men that can be sent out, yet because they are good engineers and honest men I am not in favor of entering upon this great wild scheme of expenditures for private purposes and not for public good.

I said before that this was a private affair. I am anxious not to detain the Senate too long, but I propose to read from the report of the commission, and I think it will convince everybody that while this commission are in favor of this scheme, the majority of them are compelled to admit that it is a private enterprise, and the minority, two respectable engineers, stamp the whole thing with their condemnation. I find in this report the following:

While it is not claimed that levees in themselves are necessary as a means of securing ultimately a deep channel for navigation, it is believed that the repair and maintenance of the extensive lines already existing will hasten the work of channel improvement through the increased scour and depth of river bed which they would produce during the high-river stages. They are regarded as a desirable, though not a necessary, adjunct—

Mark the words—

They are regarded as a desirable though not a necessary adjunct in the general system of improvement submitted.

It is obvious that levees are, upon a large portion of the river, essential to prevent destruction to life and property by overflow. They give safety and ease to navigation and promote and facilitate commerce and trade by establishing banks or landing places above the reach of floods, upon which produce can be placed while awaiting shipment, and where steamboats and other river craft can land in times of high water.

In a restricted sense as auxiliary to a plan of channel improvement only, the construction and maintenance of a levee system is not demanded. But in a larger sense, as embracing not only beneficial effects upon the channel, but as a protection against destructive floods, a levee system is essential; and such system also promotes and facilitates commerce, trade, and the postal service.

Mr. President, we are entering upon a system of public improvements that if it is carried out to its legitimate and logical conclusion will compel us to go to work and build railroads in every part of this country where there is commerce to be transported. The same argument can be made with full force to Congress that it should build railroads all over this country that can be made for this system of leveeing the Mississippi River. It facilitates commerce. It facilitates, says the commission, the postal service. So it does, and so does a railroad, and so do a thousand schemes that can be devised for plundering the Treasury and taking the money that is wrung from the taxpayers and wasting it, as 90 per cent. of it is frequently wasted and as always a very large per cent. is wasted when it is intrusted to distribution at the hands of Government officials.

Let us go a little further with this report, for this is the report of the commission, these are the advocates of the system; this is the commission that the Senate say to-day has instructed them virtually to make this legislation:

A levee system aids and facilitates the postal service by protecting from injury and destruction by freshets and floods the various common roads and railways upon which that service is conducted to and from the river bank, and generally within that portion of the alluvial region subject to overflow. Moreover, the permanent maintenance below Cairo of a connected levee system, a system of sufficient strength to inspire confidence in its efficiency, or the demonstration, by the achieved results of an improved river, that overflow need no longer be seriously apprehended, would act as a prompt and powerful stimulant in rapidly developing a largely increased trade and commerce in all the products of agricultural industry indigenous to that region, and in those branches of manufacturing enterprise related thereto.

There is the whole thing admitted by the commission. We are starting upon an enterprise that the commission of the Government say for two hundred miles and less than two hundred miles requires now \$5,133,000, and the Government engineers in 1875 placed it at the lowest estimate at \$5,000,000.

I think it is well enough for the Senate to vote money for legitimate purposes; but nobody can cover himself with any degree of self-respect and say he votes that \$1,000,000 for the Mississippi River for the benefit of commerce.

When the honorable Senator from Missouri, who has great interests in this noble highway, as all the people of the Northwest have, spoke of the money that was appropriated to the Mississippi River, I noticed that he said it was \$1,600,000, ignoring this million dollars altogether, for he knew, as every sensible man knew, that not a dollar of it could under any honest pretense be claimed to be expended for the benefit of commerce. If it is the purpose of the dominant party in the Senate now to go to work and levee the banks of the Mississippi River, let them come square to the front like honest men and say so.

Let them say that they propose now to protect private property up and down that great river at the public expense, for it appears by the very report of the majority, and it is especially asserted by the minority of the commission, that not a dollar of this sum can be claimed to be in the interest of commerce. If the people of the United States are prepared now to indorse a scheme that will take \$1,000,000,000 before it is through from the public Treasury, it is well and good, if the majority have overcome their conscientious scruples as to their authority to donate the public funds for such a purpose; but I think it ought to be fairly and perfectly understood that this is not in the interest of commerce, and the commission do not claim it is, except they say it will facilitate commerce by protecting the railroads and by protecting the dirt roads up and down that river. When you carry out this argument to its legitimate conclusions, then we shall be called upon to protect every highway in the United States that runs up the side of a river provided there shall be upon it a postal service.

This is an iniquitous measure under the cover and pretense of assisting the commerce, but really for the purpose of leveeing that great river, and that, too, by adopting a system that some of the best engineers in the world declare will eventually in a few years prove disastrous to the people dwelling on its banks. I myself believe that there is no way in the world to ultimately destroy the Mississippi Valley so certainly as to levee its banks, and thus fill up the bed of that great river. It is not in the interest of commerce, and, in my honest judgment, it is not in the interest of the men living on its banks. There are other methods by which the waters can be kept from overflowing plantations and the railroads adjoining and the dirt roads besides these. The whole thing is, I say again, not only injurious to commerce, but injurious to the dwellers upon the banks of that great river.

Mr. VEST. Mr. President, as a matter of course at this hour I do not propose to discuss the bill, but the Senator from Colorado either misunderstood me greatly or else I did not clearly understand myself. I stated to the Senator from Kansas that \$1,016,000 was appropriated by this bill for the improvement of the Mississippi River. I repeat that assertion. The last river and harbor bill gave to the

Mississippi River \$100,000 for general improvements, and this bill gives to that great national highway sixteen times as much.

The statement of the Senator from Kansas and the Senator from Colorado that this bill is a covert attempt to improve private property with public money is gratuitous and unfounded. There is not a scintilla of fact in this bill or anything in this report which goes to substantiate that statement. The bill provides upon its face, if ordinary candor is given to the committee, that no portion of this money appropriated for levees shall be used to levee lands in order to protect them from overflow. It is true that the Mississippi River commission reported in favor of closing up the gaps in certain levees, amounting to \$1,016,000, and that upon the familiar principle of the jetty system to meet the escape of water from the channel of the river, in order to deepen the channel to increase the navigability of this great stream.

I do not choose that it shall go to the country and to my people especially in the West that I sat here silently and permitted these charges to be made without denying them. I vote for this bill because it will enable the farmers of the great Northwest, the granary of this country, to compete with the world. It will enable us to carry to Liverpool for eight cents less upon the bushel the corn and wheat which are produced upon our vast fields. It will enable them by the 1st of July next to put barges upon the Mississippi River which will export 5,000,000 bushels of wheat and corn to England. It will enable us to use tugs to carry, as one did recently, into the port of New Orleans at one single trip enough corn and enough wheat to fill 1,500 cars upon the railroad. It will enable us more than that to break the monopoly of the railroad system which grinds the northwestern farmers into the dust whenever they have held them at their mercy on account of low water in the Mississippi River. If we are able to break down the railroad monopolies of this country it is by utilizing the bounty of God in this great system that connects the lakes with the Gulf. That is the reason why I shall vote for the bill.

The Senator from Ohio, my honored friend and the honored leader of the party to which I have the honor to belong, has seen proper to say that this bill is supported from personal and interested motives to keep Representatives and Senators in office. I shall not answer that charge as I would answer it if it came from any other quarter. I stand here to-night representing the interests of my people. I know the Senator from Ohio at the last session when he put his vote on record for a much more objectionable river and harbor bill than this, for this bill gives to this great river, the "Father of Waters," in which is buried the body of De Soto, a larger appropriation sixteen times, and opens communication to the sea and gives a free way and a free progress to the vast productions of our fields in the Northwest.

If the bill contained no other provision than that I should vote for it. If there is any object of my political life, it is the improvement of that river. If there is any object in which the people of the great Northwest, and especially of the State of Missouri, are unanimous without political distinction it is the improvement of the Mississippi River, and that clause alone of this bill entitles it to the support, in my judgment, of every patriot. Whatever may be said of these cat-fish and tadpole rivers, as they have been termed, there ought to be no difference of opinion in regard to the Mississippi. It is the property of the whole people, the people of all the States of this great Union. It belongs to no State, with its four thousand miles of shore; with its ten States tributary giving their productions to its bosom. It belongs to the people, and the people of every State should seek to improve it. It is for that reason I support this bill.

Mr. WALLACE. Mr. President, I have said nothing upon this bill up to this time, but I cannot vote for it; it contains provisions which are utterly against my belief, my teaching, and, I believe, against the interests of my people. I think that I have voted for but one river and harbor bill during the six years I have been in the Senate. I shall not vote for this bill, for it is double the size of many that I have voted against. It is enormous in its proportions. Every inlet on the coast and on the lakes and every mountain stream in certain localities are to be improved; money is to be expended upon them to begin the work or improvements are to be continued or a survey is to be made, and to do all these the money of the people is taken in millions and devoted to what I think is an improper and unlawful use.

The third section in the bill is the entering-wedge to vast expenditures in the future. It has been so in the past. It opens a vista before us of enormous expenditures by the Federal Government for the improvement of many mountain streams that ought to be, that have been, and in my view ought to continue to be exclusively under State control.

I do not believe that the people of Pennsylvania want the Federal Government to aid us to improve the Susquehanna, although it flows through the State from New York to Maryland, for it is not naturally navigable, but it is a great stream in which a hundred millions might be expended in a system of slack-water navigation and dams, and it could be thus utilized to bring to tide-water our lumber, our coal, our minerals of every kind, and our grain. But it is almost totally within the State; it is not navigable in a national sense; it is not in its natural condition capable of ascending trade, and it is not navigable in the sense of the commercial powers of the Constitution, and our people have never come here to ask its improvement by Congress. The State has exercised jurisdiction over it, has made grants of water-

power from it, erected dams upon it, and vested rights have grown up under this jurisdiction that congressional control would destroy.

The third section of the bill is the entering-wedge to large expenditure as it has been in the past. Every State and Territory in the Union was represented in the bill of last year except Alaska, and is, I believe, also in this one. Every locality seems represented annually in the river and harbor bill, a survey ordered upon streams in every locality for the useful end that votes may be had for the bill, and that too without regard to the national value of either the stream or the improvement. Step follows step in the process of securing votes and money.

Let us examine the surveys ordered by river and harbor bills since 1870. Take up the figures of these bills, and we find that from 1870 to 1880 there have been six hundred and eighteen surveys ordered by these bills, and this bill adds nearly sixty more. In 1873 there were but twenty-eight surveys, but last year the bill ordered one hundred and eighteen. They are entering-wedges, the hand is drawn in by this process, and the body follows. The survey ordered, then the engineers go upon the ground, then the estimates come, and then follow bills for the money, such as the present one, and thus the gross amount increases and the money of the people is lavishly expended.

The number of surveys ordered since 1870 is as follows:

By act of—	
July 11, 1870.....	63
March 3, 1871.....	52
June 10, 1872.....	53
March 3, 1873.....	28
June 10, 1874.....	63
March 3, 1875.....	46
August 14, 1876.....	1
June 18, 1878.....	97
March 3, 1879.....	97
1880.....	118
Total.....	618

What is this process? It is simply each man fighting for his own locality and not for the good of the whole. Each man cares for himself and his own locality in place of standing by that which is plainly national, and abiding by the teaching of the fathers and the meaning and letter of the Constitution.

I make no charge that men seek by this process to have money expended for personal gain; but I say that each Senator and each Member cares for his own locality and forgets the general good, and the bill and its passage comes to be a log-rolling process in the highest sense. In the past it had got to be the rule that these bills passed without permission for debate or scrutiny, but this one is an exception. This bill was debated in the House, and it has been debated here, and I am glad to see even this progress. Yet it is fated to be passed, and it seems to me that it is a truism that the meaner the bill is, the bigger it is, the surer it is to pass.

If we take up the reports of the engineers we find that in 1870 there were but 635 pages of reports made by them, while in 1880 there were 2399 pages of reports from the engineers, making nearly four times as many in 1880 as there were in 1870, and this with a democratic Congress half the time.

Then watch the growth of expenditures. In 1870 the bill was about \$2,000,000; in 1871, under \$4,000,000; in 1872, a trifle over \$4,000,000; in 1873, \$5,500,000; in 1874, \$6,000,000; in 1875, when we came into power, \$5,218,000, there being a spasm of economy; in 1876 it was \$6,643,000; in 1877 we got it back again to \$5,000,000; in 1878 there was no appropriation; in 1879 it swelled itself to \$3,200,000; in 1880 it was \$7,800,000; and in 1881, that is for the current year, about \$9,000,000; and to-day it swells itself to between \$11,000,000 and \$12,000,000.

Mr. KERNAN. Eleven millions and a half.

Mr. TELLER. Eleven millions and about six hundred thousand dollars.

Mr. WALLACE. On the legal aspect of the subject, I shall quote what I said before when a bill of this character was up:

Our power to make these appropriations comes from the power in the Constitution "to regulate commerce among the States." "Commerce among the States" are the words of the Constitution. As I understand the authorities, commerce means and includes navigation; commerce among the States means and includes intercourse between them. Navigation, as applied to this clause, means as well ascending as descending navigation. Without both the stream is not a navigable water of the United States. Intercourse means not commerce and traffic simply from one State by a water-course at its flood into another without the power and means of returning, but also an opportunity for the productions of that other State to traverse the highway and carry its products to market. A navigable highway is a water which possesses the capacity of ascending as well as of descending.

Intercourse means interstate traffic. When we find a river that has at its flood a descending navigation, but is naturally in such a condition that it is not navigable in the other direction, then we have no navigable water of the United States within the meaning of the Constitution and the decisions under it to which we can lawfully appropriate money. The general principle is that where a river is not navigable in fact, that Congress has no control over it, but that its control belongs exclusively to the States, and that whether such a stream is a part of a continuous line from a navigable stream, naturally navigable, into another State, or whether it lies wholly within the State, is immaterial. If a river be navigable in fact within a State as a part of a continuous line of communication, Congress has the power to appropriate money to improve it so far as it is so navigable under the power to regulate commerce. If it lie wholly within a State and be navigable in fact, if not a part of a continuous line of communication, Congress has no control over it, and it belongs to the State to regulate its commerce. If it be a part of a continuous line from without to within a State, but its character is such that no ascending navigation in fact exists, nor can naturally exist, the Congress has no control over it under this power, but the jurisdiction of the State is exclusive.

Apply these doctrines, these rules of law, the now settled law, not the theories

and dogmas of fifty years ago, but the law that has grown up from the necessities of your ever-expanding commerce, that which has come from the growth of your country, that which has crystallized itself through the decisions of the Supreme Court upon the power to regulate commerce among the States. Apply these doctrines to our present bill for improving rivers, for appropriating money to that object, and we have the question settled.

The rivers to which we may give the money of the United States are those which the Constitution of the United States as interpreted by the Supreme Court have recognized to be navigable waters of the United States, and those, and those alone, are such as are navigable in fact, and are avenues of interstate commerce.

In this bill there are many instances of appropriations of money to rivers which are not navigable rivers within the meaning of the Constitution and laws. It is not a question of a short river reaching from a lake into a State. Such a stream may be navigable for but ten miles and still be within the purview of the general power. The doctrines of the Constitution as interpreted by the Supreme Court are our platform, and the decisions of the court have followed the progressive march of that commerce which the intense desire of our countrymen for gain has pushed to its furthest limits in the development of the natural highways and internal arteries of our great network of lakes and rivers.

Mr. BAILEY. I concur in a large degree with what the Senator has said, but is there any constitutional objection to the passage of such a bill?

Mr. WALLACE. What I understand to be the law and the Constitution as declared by the Supreme Court is that rivers and streams that are not in themselves navigable cannot be improved by the Federal Government, but that they are exclusively within the control of the States.

Mr. HEREFORD. If the Senator will allow me, I will say that there is a decision of the Supreme Court directly the opposite.

Mr. WALLACE. Gentlemen are entitled to their opinion of what the law is, and I am entitled to mine.

Mr. BAILEY. Will the Senator permit me to ask him the question, whether the admiralty jurisdiction has not been extended over all the navigable streams of the country, navigable from the ocean up to the very source itself, provided they are navigable?

Mr. WALLACE. True; but then it comes back to the question, what is a navigable stream? When a stream in the spring of the year has merely descending navigation and no navigation of any character at any other season of the year, I do not understand it to be navigable in the sense of Federal control.

Mr. BAILEY. Will the Senator permit me to ask him to what extent the bill provides for streams that are navigable in the manner he speaks of?

Mr. WALLACE. There is one appropriation in the bill for improvement of part of a stream two hundred miles from tide, and you could not get to that point with a scow in August.

Mr. BAILEY. Which stream is that?

Mr. WALLACE. A part of a river in Pennsylvania.

Mr. HEREFORD. Then I ask the Senator why he does not move to strike it out? It is in the Senator's own State; let him move to strike it out.

Mr. WALLACE. It has come here in the bill from the House.

Mr. HEREFORD. I will inform the Senator that that very appropriation was put in there at his request.

Mr. WALLACE. The Senator is utterly mistaken. I have never asked for such an appropriation or any other of such a character.

Mr. HEREFORD. Last year the Senator did.

The PRESIDING OFFICER. Senators will please address the Chair. The Senator from Pennsylvania has the floor.

Mr. WALLACE. The Senator is utterly mistaken. I never asked for any appropriation for the State of Pennsylvania except for the navigable streams thereof; for the Delaware and the Schuylkill up to the city, by which to send our great commerce from Philadelphia to the sea; for the harbor of Erie and the rivers Ohio, Monongahela, and Allegheny at Pittsburgh. I have never asked for any other improvement by the General Government for our State. I believe our people want none such. We want to maintain State control over our rivers and to preserve them within our own jurisdiction, so that our factories, furnaces, and mills may keep the water-power vested under State authority. We think that Pennsylvania is able to care for herself, as she has done in the past, and we do not want the Federal Government to come within the State and aid in the improvement of streams not naturally navigable and thereby uproot our industries, destroy our dams, and render useless our water-powers. River and harbor bills here always have passed against my vote, against my wish, against the will of my people as I believe, but the provisions which make these local improvements have been repeatedly in the bills without my request, because they came from the House. I have voted against them always, although it is true, as said, that Pennsylvania has had appropriations for the improvement of the Kiskiminetas.

Mr. McMILLAN. If we can take the sentiment of Pennsylvania as represented by the members of the House of Representatives, elected directly by the people, the members were over here and in the presence of the Senate committee asked for appropriations for other rivers in that State, the Youghiogheny, pressing it upon us, and it was refused by the committee because the stream was not such as was capable of navigation.

Mr. WALLACE. I have no doubt of it.

Mr. McMILLAN. I think the members of the other House, elected directly by the people, represent the people of that State as well as the Senator from Pennsylvania.

Mr. WALLACE. That is a question that I will settle with my people,

and it is not for the Senator from Minnesota to dictate to me what I should say upon this floor. I want the Senator from Minnesota to understand that I am here expressing what I believe to be the sentiment of my people and the Senator has no right to dictate to me what I shall say on this or any other subject.

Mr. McMILLAN. I have attempted no dictation to the Senator from Pennsylvania.

The PRESIDING OFFICER. Will the Senator from Pennsylvania yield to the Senator from Minnesota?

Mr. WALLACE. Certainly.

Mr. McMILLAN. I attempted no dictation to the Senator from Pennsylvania as to the course he should take. I merely cited the fact to show that there were Representatives directly from the people of the State who differed from him in opinion.

Mr. WALLACE. Certainly. I have no doubt about that, as there may be in the State of the Senator from Minnesota, but that does not affect me in my opinion, nor do I believe they express the wish of our people as to streams of that character.

Mr. President, I believe the theory of this bill on this subject to be wrong. I am conscientious in my convictions thereon; I need only cite what has occurred in the past in the great States of New York and Pennsylvania as to their internal improvements to show the basis of my views. Did we when we built our great system of canals ask the Federal Government to aid us? Nothing of the kind; but we taxed our own people to build them. The State depended upon itself. It had not then learned to lean feebly on the arm of the General Government. Take two instances now, the case of the Fox and Wisconsin Rivers in Wisconsin, and that of the Great Kanawha River in West Virginia. They were improved for a similar purpose to those of the canals from tidewater in Pennsylvania to the Ohio, and from the Hudson to the lakes in New York. The General Government has made large appropriations for the rivers in West Virginia and in Wisconsin. They were to make connections between the eastern and western waters also, but if in the days of DeWitt Clinton New York had come here to ask for money to make a water line of communication from the Hudson to the Lakes through her own territory it would have been regarded as a monstrosity by her people. It would have been utterly antagonistic to their idea of the law. Therefore, they taxed themselves as Pennsylvania taxed herself and her people. Their moneys thus expended aided in the commerce of the whole country, and their people owned the whole. Now, local wants and local needs seek help at the Federal Treasury, instead of self-reliance and State control.

Compare the money expended on these two schemes of internal improvement with that spent on the one great navigable highway of our State. The amount expended on the Fox and Wisconsin Rivers, showing a total of \$2,040,000, and for the Great Kanawha \$1,190,000 since 1875. The Delaware River with the upper bay that floats the commerce of the State of Pennsylvania from the port of Philadelphia, from 1824 up to 1881, received all told but \$669,000.

Appropriations made up to 1875 for improving Fox and Wisconsin Rivers.....		\$1,245,000
In 1876.....		270,000
In 1878.....		250,000
In 1879.....		150,000
In 1880.....		125,000
Total.....		2,040,000
Improvement of Great Kanawha River up to 1875.....		350,000
In 1876.....		270,000
In 1878.....		220,000
In 1879.....		150,000
In 1880.....		200,000
Total.....		1,190,000
Delaware River from 1824 to 1875.....		230,000
In 1876.....		40,000
In 1878.....		113,000
In 1879.....		101,000
In 1880.....		185,000
Total.....		669,000

The great rivers and harbors of the country it seems to me are neglected and their commerce suffers, while indentations on the coast are dignified by the name of harbors, and are improved, and creeks and mountain streams are sought to be made navigable. The number of improvements projected in the third section and the amount of appropriations made to objects that are outside of the scope of Federal power, render this bill most objectionable. As to the Mississippi River improvement I take no issue except as to the large amount given, for that is a subject of national character and deserving our care.

I do not desire to detain the Senate further upon this subject. I might take up this bill and point out the many incongruities that are in it, but they have been shown again and again. I believe that the tendency toward centralization of the Government can find scope in no more insidious guise than it does in this bill. Lavish expenditures for objects which are peculiarly within the province of the State are made by this bill. Instead of being self-reliant, the States are

taught to appeal to Congress. If a pier in a harbor needs mending, or needs to be erected, or a channel of a creek is to be widened for the egress of a raft, the General Government is appealed to and thus becomes the fountain of all power, of all wealth and greatness, and the States sink from their proud position of sovereignty into beggars and dependents on the Federal power.

Under such a system all notions of policy which formerly divided parties are confounded. I regret to see it, but we may as well recognize the fact. It is here on this side of the Senate, on the democratic side. The gap stands widely open; Senators must face the existing fact. The teachings of some of our brother Senators are different from those of others. One man believes in one doctrine and one policy, and another man believes in another and a totally different doctrine and policy. I can but believe that this is not simply personal or local, but that their modes of thought and political education cause them to differ thus widely from others of their political brethren upon this floor. My teaching, my belief, my judgment to-day cause me to favor a strict construction of the Federal Constitution, and hence to vote appropriations under the commercial power only to those objects that are clearly and plainly within the purview of the Federal Constitution—to those rivers and harbors that are navigable in fact. Can it be that the strict constructionist who jealously watches every encroachment of Federal power abandons his fear when centralization comes with the sugar-coating of an appropriation for rivers and harbors? Under the magic influence of such a measure as this, the latitudinarian and the strict constructionist are found joggling along together in the same conveyance, and centralization so much dreaded seems to lose its dangers when it comes annually in the form of millions through a river and harbor bill.

Mr. President, I have spoken what I believe to be the sentiments of the people of my State as to this bill. I shall not detain the Senate longer. I cannot vote for the bill. I believe it involves a departure from the doctrines of the Constitution and the teachings of the fathers of the organization to which I belong.

Mr. ALLISON. I wish to offer one or two amendments to the bill. The PRESIDING OFFICER. There is an amendment now pending to the bill, offered by the Senator from Colorado, [Mr. TELLER.]

Mr. RANSOM. I move to lay the amendment on the table. The PRESIDING OFFICER. The Clerk will report the amendment.

The CHIEF CLERK. It is proposed to strike out all from line 407 to line 435, in the following words:

For the improvement of the Mississippi River, in accordance with the plan therefor recommended in Executive Document No. 58, second session Forty-sixth Congress, by the Mississippi River commission, to be expended by the Secretary of War, with the advice and under the supervision of said commission, the sum of \$1,000,000, and it shall be the duty of said commission to take into consideration, and of the Secretary of War to extend operations, under their supervision, to tributaries of the Mississippi River to the extent, and no further, that may be necessary in the judgment of said commission to the perfection of the general and permanent improvement of said Mississippi River; but this clause shall not be construed to interfere with the prosecution by the War Department of the improvement of said Mississippi River and its tributaries under general appropriations made therefor: *Provided*, That no portion of the sum hereby appropriated shall be used in the repair or construction of levees for the purpose of preventing injury to lands by overflow, or for any other purpose whatever except as a means of deepening or improving the channel of said river. And it shall be the duty of said commission to make report, on or before the 1st day of January next, to the Secretary of War, for transmission by him to Congress, of a detailed statement of the work done, and of the expenditure made from the sum hereby appropriated, with their judgment upon the effect of such work, and the general practicability and estimate of the total cost of such improvements along said river from Cairo to the head of the passes.

Mr. RANSOM. I move to lay the amendment on the table.

Mr. TELLER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary called the roll.

Mr. BURNSIDE. My colleague [Mr. ANTHONY] is paired with the Senator from Ohio, [Mr. THURMAN.] If my colleague were here, he would vote "yea."

Mr. KELLOGG. I am paired on this question with the Senator from Illinois, [Mr. DAVIS.] If he were present, he would vote "nay" and I should vote "yea."

Mr. ALLISON, (after having voted in the affirmative.) I desire to withdraw my vote. I am paired with the Senator from Colorado, [Mr. HILL.] As I do not know how he would vote on this question, I prefer to withdraw my vote.

Mr. COCKRELL. I am paired with the Senator from Vermont, [Mr. EDMUNDS,] who is absent sick. If he were here, I should vote to lay the amendment to strike out on the table. I do not know how the Senator from Vermont would vote.

The result was announced—yeas 36, nays 6; as follows:

YEAS—36.

Bailey,	Davis of W. Va.,	Johnston,	Randolph,
Beck,	Farley,	Jonas,	Ransom,
Blair,	Ferry,	Lamar,	Rollins,
Brown,	Gariand,	McDonald,	Slater,
Burnside,	Groome,	McMillan,	Vance,
Butler,	Grover,	Maxey,	Vest,
Call,	Hampton,	Morgan,	Voorhees,
Cameron of Pa.,	Hereford,	Paddock,	Walker,
Coke,	Hill of Georgia,	Pugh,	Williams.

NAYS—6.

Eaton,	Plumb,	Teller,	Wallace.
Kernan,	Saunders,		

ABSENT—33.

Allison,	Conkling,	Jones of Florida,	Saulsbury,
Anthony,	Davis of Illinois,	Jones of Nevada,	Sharon,
Baldwin,	Dawes,	Kellogg,	Thurman,
Bayard,	Edmunds,	Kirkwood,	Whyte,
Blaine,	Hamlin,	Logan,	Windom,
Booth,	Harris,	McPherson,	Withers.
Bruce,	Hill of Colorado,	Morrill,	
Cameron of Wis.,	Hoar,	Pendleton,	
Cockrell,	Ingalls,	Platt,	

So the amendment was laid on the table.

Mr. ALLISON. In section 2, line 7, after the word "than," I move to strike out "its own" and to insert in lieu thereof the words "that passing over its own road;" so as to read:

That the joint resolution approved July 20, 1868, authorizing the construction of the bridge over the Mississippi River "to connect the island of Rock Island with the cities of Davenport and Rock Island," is hereby so amended as to require the Chicago, Rock Island and Pacific Railroad Company to charge for any cars carrying freight other than that passing over its own road, and for its own cars when carrying freight for other roads, which it may carry across said bridge.

The amendment was agreed to.

Mr. ALLISON. In line 9 of the same section I move to strike out "the" and insert "a," and to strike out "of only" and insert "not exceeding;" and at the end of the line to insert "loaded;" so as to read:

A sum not exceeding \$3 for every loaded car, two-fifths of which sum shall be paid by said railroad company into the Treasury of the United States each month; and the monthly returns thus made shall be in such form and with such authentication as the Secretary of War shall direct.

As the proposition now stands, this company would be required to charge \$3 for every loaded and empty car, and if they choose to charge, for example, \$2 only for coal cars or for any other class of heavy freight, this provision would stand in their way, because the Government of the United States is to receive new bids for the same. Therefore this ought to be only a limitation with reference to the maximum of charges.

Mr. KERNAN. I desire to make a little inquiry. The House seems to have agreed to this provision, and this amendment largely reduces what the Government will receive. I want some explanation.

Mr. ALLISON. I endeavored to make a brief explanation of it when I offered the amendment. The Senator will observe that, as the clause now stands, the company would be obliged to charge \$3 per car, not only for loaded cars, but for empty cars as well; and it may be, and I am told the fact is, that for a large class of freight, such as coal, ice, lumber, and other heavy articles, they do not now charge the amount fixed in this bill.

Mr. KERNAN. Why is the Government entitled to any part of it?

Mr. ALLISON. The Senator asks me a question, which I think there is very grave doubt about. I think under the statute which we passed in 1868, which is to be found in the fifteenth volume of the United States Statutes, page 258, there is a provision authorizing the construction of this bridge, which I think makes it very doubtful whether we can enforce this provision of section 2. We have declared in that statute—

That the Government may permit any other road or roads wishing to cross on said bridge to do so by paying to the parties then in interest the proportionate cost of said bridge, but no such permission to other roads shall impair the right hereby granted to the Chicago, Rock Island and Pacific Railroad Company.

It is perfectly clear that any other railroad company wishing to cross this bridge can do so by paying its proportional cost of the bridge into the Treasury of the United States and into the treasury of the Rock Island Railroad Company. No other road sees proper to do so. There are other terminal roads at this point. Instead of doing so, they have made arrangements in one way and another by which the Rock Island road itself transports its cars across the bridge. It is a question whether or not this can be done under the provisions of the statute; but if it is done, it certainly should be made so reasonable that it will not be a burden upon the shippers or upon the railroads in the charges imposed.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa, [Mr. ALLISON.]

The amendment was agreed to.

Mr. LOGAN. I move to strike out, on lines 426 and 427, the words "except as a means of deepening or improving the channel of said river." This part of the section proposes to expend a million of dollars on the Mississippi River, under charge of this commission which has been organized, and proposes to do it not in the way of making levees, but in some other way, and in harmony with the Engineer Corps under the instructions of the Secretary of War. The language is this:

That no portion of the sum hereby appropriated shall be used in the repair or construction of levees for the purpose of preventing injury to lands by overflow, or for any other purpose whatever except as a means of deepening or improving the channel of said river.

The whole million of dollars under that exception can be used and expended in repairing and building levees under the pretense that the river is deepened thereby; that is, by raising the banks of the river. If the object of this portion of the bill is to expend the money for the purpose of assisting in improving the river, if the object is not to expend it in making and repairing levees on the river for the protection of private property, then this portion ought to be out; for under this exception, as I said, the whole amount can be expended.

I move this amendment for the reason that I am opposed to expending money for levees on the Mississippi River. I think it is not a plan to advance the interests of the country, or the commerce of the country, and if we intend to act fairly about it and not have a deception practiced on somebody, we ought to make it so clear and plain that all may understand it.

Mr. RANSOM. Will the Senator from Illinois tell me what part of the provision he means to strike out?

Mr. LOGAN. Lines 426 and 427, after the word "whatever," the words "except as a means of deepening or improving the channel of said river;" so that it will read:

That no portion of the sum hereby appropriated shall be used in the repair or construction of levees for the purpose of preventing injury to lands by overflow, or for any other purpose whatever. And it shall be the duty of said commission to make report, &c.

The bill will then deprive them of the power of expending the money to make and repair levees. That is the object I have in the amendment.

Mr. RANSOM. Apprehending the purpose of the Senator from Illinois, and so far as he goes sympathizing with him, I would like, with very great deference, to suggest to him that the way he proposes the amendment does not accomplish the object.

Mr. LOGAN. How am I to do it, then?

Mr. RANSOM. The proviso reads:

That no portion of the sum hereby appropriated shall be used in the repair or construction of levees for the purpose of preventing injury to lands by overflow, or for any other purpose whatever.

If the Senator leaves it there, that will be a prohibition of any use of the money. The first part of the proviso provides that the money shall not be used for constructing levees, and then the words "or for any other purpose whatever" would include all purposes.

Mr. INGALLS. The Senator from North Carolina is right.

Mr. LOGAN. Then strike out from the word "overflow." I believe the language of the section might be construed as the Senator says. I will then amend my motion so as to strike out line 426, after the word "overflow," down to the word "river," in line 427. Then it will read:

Provided, That no portion of the sum hereby appropriated shall be used in the repair or construction of levees for the purpose of preventing injury to lands by overflow. And it shall be the duty of said commission, &c.

So that the money cannot be used for that purpose, that being the intention of the bill as I understand it. That will make it so that we shall all understand it.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Illinois.

Mr. THURMAN. Mr. President, when the Constitution of the United States was adopted and went into force the ablest thinkers in America were divided on its construction. Mr. Hamilton thought that it could be by construction made to suit his views upon the form of the Federal Government; and thereupon Mr. Jefferson began the agitation in favor of what was called a strict construction of the Constitution. Those two great men were to their dying hour antagonized against each other, the one in favor of enlarging the powers of the Federal Government by construction, and the other in favor of restricting these powers by a strict construction of the Constitution.

I make these remarks in order to ask the Senate where in the Constitution does this body find the power to pass a river and harbor bill? Manifestly there is but one clause in the Constitution which gives the slightest support to such a pretension, and that is the power to regulate commerce. Under the Hamiltonian view of the Constitution, the liberal construction which is contended for, such a bill might be constitutional. Under the Jeffersonian construction, the strict construction for which Jefferson contended, no one can claim that such a bill is constitutional.

I say this with a full consciousness of the fact that I have voted again and again for river and harbor bills. I have done so perhaps because, being educated as a lawyer, having sat on the bench, and having therefore got the idea in my head that *stare decisis* was a rule of action, I have followed the decisions of the constituted authorities again and again in passing such bills; and yet I must say that I never voted for one of them, although I have voted for many, with a clear conscience. My friend from North Carolina taunted me that I voted for the last one.

Mr. RANSOM. Oh, no; I did not taunt the Senator; far from it. I did not mean that.

Mr. THURMAN. I do not think I voted for it. I know I voted against one, and I claim credit for that; but it is possible that, yielding to the uniform practice of Congress and their construction or interpretation of the Constitution, I have again and again voted for such bills. If so, I can say that I have followed the doctrine of *stare decisis* much further than I ought to have done. But admitting the constitutional power to pass a river and harbor improvement bill, and not at all bringing into question now that power, it is certainly a very useless piece of business to argue upon a bill of this kind. I never knew any good to come of it, but, still, I wish to say something upon the bill.

While I have voted for such bills, I have always thought, if I had the constitutional power to pass them, the real question before the Senate was a business question, a question such as business men would apply to their own affairs; and now applying the principle that busi-

ness men would apply to their own affairs, I appeal to the Senate if this bill is one that business men, having their own interest in view, would adopt? Recollect that it is the power to regulate commerce which gives us the right, if we have it at all, to pass this bill. Does that give us the power to regulate the commerce of trout-streams in the mountains of West Virginia? I know the inquiry has been suggested, what would the Ohio River be if frogs were not allowed to wade up in the Alleghany streams? Oh, no, that will not do.

What is commerce? Is commerce the swimming of tadpoles? Is commerce the sporting of frogs in the ponds of North Carolina? Is commerce deepening the French Broad, so that a good big sucker can swim over it? Not the least bit in the world. When our forefathers put in the Constitution of the United States that Congress should have power to regulate commerce between the United States and foreign countries, and among the several States, did they think of improving a tadpole stream in West Virginia, or a frog pond in North Carolina? No, I do not think they did. Those were great men, Mr. President; they had great ideas. You cannot say a word about West Virginia to her credit which I do not indorse, for I am more indebted to her than any other man, perhaps, in the United States; but I want her to stand where Jefferson stood; I want her to stand where the people of the United States ought to stand.

And now, Mr. President, what has been done? Let every Senator put it to his own conscience, what are we doing? There are great improvements, which I grant are proper, which I grant are within the power of Congress. There never was a great harbor that deserved more than the mouth of the Columbia River. That is a thing which is within the constitutional power of Congress, if the Constitution authorizes you to make any improvement of rivers and harbors at all; that is an improvement which the whole country ought to have approved, but it was voted down. The improvement of the Mississippi River is another; for although Mr. Calhoun, after having fought internal improvements for a long time, saw fit to give a name to the Mississippi River and call it an "internal sea," and therefore, upon that view, advocated the improvement of the Mississippi River, I do not stand upon Mr. Calhoun's doctrine. I say the Mississippi River deserves to be improved. No word of mine has ever been uttered against the improvement of the Mississippi River. It is all right. No word of mine has ever been uttered against the improvement of these great inland seas, the lakes. I never have believed in the ichthyological doctrine that no rivers or harbors should be improved but those which float fish that swim in salt water; but when it comes to the ridiculous farce of pretending, under the power for the regulation of commerce, to improve a frog-pond or a trout-stream in West Virginia or North Carolina, do you not feel some compunction of conscience and do you not think you are stretching the Constitution a little? Do you not think you are departing from the teaching of Thomas Jefferson and James Madison and James Monroe and Andrew Jackson?

Mr. RANSOM. You have voted for such bills.

Mr. THURMAN. Oh, yes; I have sinned; I pray forgiveness for it; but in the few remaining days I have to spend in the Senate, I will not sin any more in that way.

Now, Mr. President, let me say one thing more about this bill. The democratic party have been opposed, since 1789 down to this day, to centralization. When the General Government is to take into its cognizance and under its supervision and appropriate money for every trout stream in America, what is the use of talking of being opposed to centralization? Let us give up; let us admit that we have been humbugs; let us say we have talked to the people in words which had no meaning, because our actions were opposed to our words. How can we vote for such a bill and talk of being opposed to centralization?

Mr. President, I am an old man, too old to have much more to say in this world's affairs. I was raised in a school which actually believed in what it said. I suppose it is time the old men should be pushed off their pedestals; that a new doctrine should be announced to the American people, a new doctrine for the democratic party; that the democratic party must abandon all its old ideas of strict construction of the Constitution and must go forth with the cry, "the old flag and an appropriation;" that instead of guarding the public Treasury, as we did for three-quarters of a century, the policy of the party in the future must be to put our hands into the Treasury as deeply as we can. Mr. President, that may be the policy of the party, but I, for one, cannot consent to it. It may be the policy, but I cannot see the propriety of it. If it is to be adopted as the policy of the party that we are in the future to give up all the principles which characterized the democratic party, which gave life and importance and vitality to that party; if every principle which was dear to the democratic party fifty years ago, forty years ago, thirty years ago, is to be thrown overboard and we are to take a new departure and try who can get the most out of the Treasury of the United States, then I beg leave to retire from the field. I shall retire very soon whether that be the decision, or whether it be not.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois, [Mr. LOGAN.]

Mr. HILL, of Georgia. Mr. President, I am not going to detain the Senate more than a few moments. I did not intend to say one word upon the merits of this bill or any amendment made or proposed to it; but we have listened to-night to two very distinguished gentlemen on this side of the House who have been very earnest and

very anxious, judging from their manner and tone, in the advice which they have seen proper to give to us in begging us to vote against this bill. One of these distinguished gentlemen, one who stands higher perhaps or certainly quite as high as any on this continent in the affections of the people, has seen proper to take the floor and repeat his admonition. Another, scarcely less distinguished than this gentleman, has taken the floor and in a very earnest manner repeated those admonitions. I think under the circumstances I shall be excused, for I have not detained the Senate one moment heretofore, if I now detain it one or two minutes at least.

I will not enter into any discussion with the distinguished Senator from Ohio on the question of the constitutional power invoked by the passage of this bill. He reminds us that the father of the democratic party was a strict constructionist of the Constitution. So he pretended to be and so doubtless he was, and so certainly he thought; and yet I need not remind that distinguished Senator that it was under the advice of that very distinguished father of the democratic party that we acquired the great body of the territory which contains the magnificent streams that we propose to improve by this very bill.

Mr. THURMAN. But he admitted that he acted extra-constitutionally.

Mr. HILL, of Georgia. If Jefferson admitted that he acted extra-constitutionally, can we not also, and for the benefit of all the people, imitate his example to a little degree? And, sir, when we follow the example of Jefferson and of the distinguished Senator from Ohio himself, who has over and over again stood upon the floor of the Senate under the solemn obligation of his responsibility and voted for these bills, are we now to be informed that we are disregarding the teachings of the father of the democratic party and the traditions of the democratic party if we follow in the example of its illustrious founder and in the many examples of its most illustrious leader?

Mr. President, it is too late. It is under this doctrine of construction that this country since the days of Jefferson has stretched from a narrow circle along the Atlantic sea across the mountains to the Pacific sea, and to-day this country is great, great beyond precedent, chiefly because of the exercise of the very powers which the honorable Senator rises in the Senate to condemn as unconstitutional.

Mr. THURMAN. No, sir.

Mr. HILL, of Georgia. The people have acted on these measures repeatedly. What the people themselves have approved over and over for more than fifty years ought at last to be considered partially settled. But, Mr. President, this matter is in a very different condition from what it was in the days of Jefferson and Madison and Hamilton. They never had in their wildest dreams an imagination of a country of such extent as this, and with such power as that which we this day manifest.

Let Senators remember that this very hour while I speak a few men upon this continent hold more power than any monarch upon the earth. Why, sir, we all know the agitations and excitements which disturbed this country for fifty years because a few masters in the South controlled the labor of a few blacks. The number of slaveholders at the highest point numbered 350,000. The number of slaves at the greatest number, including women and children, never exceeded 4,000,000; and yet, sir, there are less than twenty men in America to-day who hold more absolute and irresponsible power over the labor of 50,000,000 of American people than 350,000 slaveholders held over the labor of 4,000,000 of black people. They can tax every bushel of wheat, every pound of corn, and every bale of cotton reared and grown upon this continent; they can say what shall be the profit on every element of labor, on every branch of industry. They can exert that power without any legal compulsion, without any shadow of authority or official sanction.

Mr. MORGAN. Will the Senator from Georgia allow me?

Mr. HILL, of Georgia. I would rather not give way just now.

Mr. MORGAN. The question I wish to ask the Senator from Georgia—

The PRESIDING OFFICER. Does the Senator from Georgia yield?

Mr. HILL, of Georgia. Yes, sir.

Mr. MORGAN. Does the Senator from Georgia propose to counteract this monopoly of power and influence by spending money out of the Treasury to build up countervailing power and influence, or is it proposed to do it by legislation?

Mr. HILL, of Georgia. The Senator will excuse me. I shall answer the question in a moment and would have answered it without being asked specifically.

We talk of the tariff as an excessive burden upon the people; we talk of the internal revenue as an annoying burden on the people of this country. By the tariff and by the internal revenue we raise a few hundred millions of dollars from the people of this country to support the Government and pay the interest on the public debt; and yet this very day less than twenty men on this continent, without law, at least without legislation, without executive or judicial functions, can lay a heavier tax upon the productive industry of this country than is levied by the Government through its double system of external and internal tariffs. They can sit in one room in New York and assess upon the labor of this country and the production of this country a heavier tax than is assessed by the power of the Government.

These are facts which were not known or imagined in the days that are past and gone. They are great facts which we of this gen-

eration must meet. And how has this power been acquired by less than a score of men? In what way have they acquired this enormous power? Sir, they have acquired it by getting control of the transportation facilities of the country. They say where you shall go to market and on what terms you shall go to market. They calculate what expense every pound of productive industry will bear in the way of transportation, and they levy it, and without armies and without navies and without judges and without sheriffs and without marshals they collect it. They can increase the burden when they please; they can lessen it when they please; they can discriminate as they please; they can be heavy upon one and light upon another; and that in this free country, that in this country of equal laws, that in this country of the people! Here less than a score of men exercise to-day a more absolute and a more irresponsible power over the labor of 50,000,000 people than could be exercised by all the monarchs of Europe combined. If the arbitrary autocrat of Russia were to dare to attempt to levy upon his people the assessments for revenue which these men levy on the productive interests of the free people of America, that autocrat of Russia would not wear his crown twenty-four hours. I repeat, this immense power has been acquired by getting control of the transportation power of this great continent. If this power be not arrested these iron bars will become the handcuffs of the nation and the manacles of liberty.

How shall this power be met? Sir, it is a question which must make every American statesman anxious. I am not going into that question. It is one which should challenge every man's attention. Whether it can be managed, in what way, whether under the gentleman's system of strict construction of constitutional power especially, it can be managed, I do not know; I am not prepared to say; I will not now undertake to discuss. But, sir, I see in this bill at least one little relief. I see in the principles involved in this bill some relief to the people. These rivers were made by God, and they are the people's highways; they belong to no corporation; they can be combined and their competitive power destroyed by no syndicate. As my colleague said to you to-day, there are 30,000 miles of navigable streams in this great country. True, they may not be adequate to bring in sufficient competitive power to control the railroad transportation power, but they can do much. Any gentleman who will look at the map of this country will see that if these natural highways, these water-ways, are opened and made free and navigable, they will in many portions of the country furnish immense relief to the people—not all that they ought to have. The railroad corporations, which wield this more than autocratic power of which I have spoken, you have been informed to-day do not hesitate to expend annually \$400,000,000 to repair and improve their highways; and yet we are told that this great people and their representatives are to be charged with extravagance, with recklessness, with trampling on the Constitution, because we propose to spend ten or twelve millions to repair and improve the great highways of the people.

Streams which the representatives of the people know would be navigable with a little improvement, with a little assistance, are ridiculed in this high council of the nation as "trout streams" and "frog ponds"—ideas which have been repeated so often in the last ten years that they have actually ceased to be original. Sir, what is \$10,000,000 to improve 30,000 miles of highway for the transportation of the freights of this country? I was told the other day by a scientific gentleman, a gentleman who understands that question as well as any man in this country, that the single improvement of the mouth of the Mississippi River would be worth at least \$20,000,000 a year on the navigation and commerce of that river. If I chose to take the time of the Senate, I could myself point out some smaller streams even in my own State which, with a few thousand dollars of improvement, would enable the planters on their banks, and on either side, and in different States, to realize in the saving of freights annually ten times the amount expended by the Government.

One gentleman says, "Why this bill is in the interest of every locality on the continent; every place gets an improvement." Really, Mr. President, I am grateful to hear, after we have had so much legislation of a sectional character, so much legislation which seemed to improve simply isolated sections, that we have one bill before us which is national in its character and in which every locality in the country has an interest.

One distinguished gentleman, in his kind admonitions to this body for trampling under foot the Constitution and adopting an unjust and unpopular measure, says that we are actuated by the motive of helping the re-election of Senators. They can only be re-elected if the measure is popular; and if the measure is popular, have not the people a right to it? Gentlemen, you are mistaken. I do not know what the future is; I do know that huge questions are just ahead of us; I do know that the people have got to have representatives; and I do know that their interests are to be looked to and regarded. I believe the improvement of these rivers, which are in such bountiful profusion all over this country, and every portion of this country ought to be improved, and I believe their improvement will distribute among the people everywhere, in every section of the country, more real profit than any other measure which passes Congress.

Sir, I ask pardon of the Senate for having detained it thus long. I had not expected to say one word on this bill. I have the kindest feelings for the gentlemen who have addressed the Senate, but I have felt it necessary to say this much to defend the vote I shall give.

Mr. THURMAN. Mr. President, the Senator from Georgia has told us that the railroad companies expend \$400,000,000, if I understood him, in the improvement of their roads this year. I confess that is much more than I thought they had to spend; but if they have expended the half of \$400,000,000 in this last year, pray what kind of a show would the United States make in competing with them by spending \$10,000,000 upon rivers and harbors? Let us look at this thing as business men, as sensible men. If the Vanderbilts and Goulds and the like can expend \$400,000,000 a year in the improvement of railroad transportation, what kind of competition does it make for the Government of the United States to expend \$10,000,000 on rivers and harbors?

But, Mr. President, it is not \$10,000,000. Take out the appropriations for the harbors on the Atlantic and the Pacific coasts, which are just as much in the interest of the railroads as they are in the interest of the people, and you have got your appropriation for rivers, inlets, and the like, down to about five or six million dollars, hardly a year's income of Vanderbilt or of Gould, to compete with the railroads of the country, which expend \$400,000,000 a year!

Ah! no, Mr. President, the railroad interest in this country, the power that it does exercise and may exercise on the country, results from the power of the combination of capital. That is what it is. It is precisely the same thing that makes a combination of capital for manufacturing purposes possible in this country, that makes the rich man in manufacturing swallow up the poor man in manufacturing, that makes the rich railroad company swallow up the poor railroad company. That is what it is; and, Mr. President, it will be the poorest of all possible counteractions of that principle of combination to say that we shall pass a river and harbor bill of five or six million dollars. Ah! no, sir! that will not do at all!

Mr. President, with the kindest regard in the world for the very eminent and intellectual Senator from Georgia, I beg leave to say that when I appealed to the old doctrines of the democratic party, when I appealed to the teachings of Jefferson, of Madison, and of Monroe, I did not expect to hear from him. I know there is in the air now an idea of a new departure for the democratic party and that hereafter we are to march under the banner of "the old flag and an appropriation," that we are to go for getting the largest possible sum out of the public Treasury; but I warn my friends from the South that if they try that game they will be beaten, badly beaten, terribly beaten.

Mr. President, from the beginning of this Government down to this day the eastern portion of the Republic has gone for the dollar and the southern portion for the honors, and the eastern portion made the money until there are more national banks and national-bank capital in the State of my friend who sits before me [Mr. Dawes] than there are in the whole South. That is what it comes to when you go to the Treasury, and I say to my friends here to-night that they never made a greater mistake in their lives than they will make if they undertake to enter into competition with their more astute friends, with the men who have combined capital for a raid on the national Treasury. That will not do. It is a very bad game they are playing, and whenever they undertake to take Colonel Sellers's advice for "the old flag and an appropriation," they will be most awfully beaten; the flag they have, the appropriation will go to other parts of the country.

It may be that I am all wrong in these remarks. My friends around me seem to think so; but I say in all seriousness that this bill is a departure from democratic principles and it is a departure from all business principles. Business men look to that which will produce results, profitable results. No business man would spend money as this bill proposes to expend it.

Mr. KERNAN. Mr. President, my objection to this bill is not because it provides money for navigable streams or for harbors. My objection is that there is a very large amount of money appropriated by it for mere local improvements, streams that never were and never will be navigable in the sense of floating commerce up or down; and as I must vote against it for that reason I have risen to say a word in reference to the argument of the Senator from Georgia.

Sir, the relief to the people of this country who are oppressed by onerous and unjust exactions of railroad corporations in carrying our commerce is not to be found by appropriating money to clear out streams that never will float commerce up them and never anything down them or anything larger than a scow—

Mr. HILL, of Georgia. I want to ask the Senator—

Mr. KERNAN. I do not yield now. I am disposed to be patient and kind; but I want to speak only a few minutes.

Who are the railroads, and what is the relief against unjust exactions by them, if there be unjust exactions by them? They are the creatures of the Federal Legislature or of the State Legislatures; they are created by them; and I rejoice to believe that as a rule the charters have reserved the right to alter, amend, and repeal. The remedy against these exactions upon commerce and trade is not by levying upon the people other millions to clear out streams which will not float commerce as against the railroads; but the remedy is for the Legislatures which created the corporations to deal with them wisely and firmly and justly, and see that these creatures of legislation, these aggregations of capital, shall only gather from the people a fair remuneration for carrying their freight. Our attention is to be turned to that as the remedy. It will not remedy the burdens of the

people to them a dollar to clear out a stream which will not float commerce for about every dollar we apply to streams which will carry commerce.

I am for giving the people the benefit of navigable streams and harbors for commerce, and I will not delude them as I think it would be to say that we will relieve them from the exactions of great corporations by expending money to carry our commerce by water. These corporations are common carriers. Only by virtue of the fact that they are common-carriers does the Federal Government or do the States give them the right to take private property; and we have the right to deal with them and see that they fulfill the object of their creation by carrying passengers and carrying freight for a reasonable reward.

I would not act unjustly toward these great aggregations that do so much of the work of this country, well I doubt not, but I would always let it be understood that the people through their Legislatures who gave them their charters, reserving the right to alter, amend, or repeal those charters, have the control. Such creatures made by act of Congress reserving the same right should be subject to Congress. The remedy for their exactions beyond a reasonable rate to compensate them and give them a proper income on the capital invested is to deal with them, as I said, not unjustly, but with entire firmness, and it would be a delusion to let the idea go out that we can bring down their freights by spending millions of the people's money on small streams which never did and never will carry commerce in competition with railroads, as is the case with many of the streams provided for in this bill.

Mr. HILL, of Georgia. Will the Senator from New York now answer a question? He has repeated a statement made here to-night that this bill proposes to appropriate money to a large number of rivers which neither are nor ever can be made navigable. The Senator has made that statement; he is a Senator for whom I have the highest regard and whose statement is authority always. Will the Senator point out a single one to which money is proposed to be appropriated by this bill which has not been reported by the official engineers as either navigable or capable of being made navigable by the money which is appropriated?

Mr. KERNAN. I answer very frankly that I understand—not from personal knowledge, for I am not on this committee and have not examined these streams, but it has been said here and in the other House—that there are hundreds and hundreds of thousands of dollars appropriated to streams upon which a steamboat never navigated, upon streams that do not have boats propelled upon them, on streams that are comparatively dry during a large portion of the year, and I say all that class of streams should be left out. They are probably works for the State; and to attempt to delude the people with the idea that the commerce we give to these streams will relieve them from the exactions of railroads, if they be unjust, is an entire delusion. The railroads are to be dealt with as quasi-public corporations, held so by the Supreme Court, and they can be dealt with justly and fairly by requiring them to carry for reasonable compensation, as is the charter and is the law in the State which I have the honor in part to represent.

Mr. HILL, of Georgia. I come back to the question, and the Senator must not escape. He said that there were plenty of rivers in this bill that were never navigable and that could not be made navigable. I called upon the Senator to point out one. He pointed out none; he says he does not speak from personal information; he says he only repeats, as I understand him, what has been said in the other House, and what has been said here. It has been said in the other House, it has been said here, and for the very reason that it has been said in both bodies, when such a remark is taken up by the honorable and distinguished Senator from New York, I want to know particularly which river is it; I want to know what river it is. Call it back if there is a river in this bill to which money is appropriated that has not been surveyed and reported upon by the official engineers of the Government as proper to be improved.

Mr. KERNAN. I will answer.

Mr. LOGAN. If the Senator will allow me, I will state that while the Senator from Georgia was talking I opened the report, and the first river I turned to is the Savannah River, in Georgia, and I will read what the engineer says:

6. Savannah River, above Augusta, Georgia.—The act approved June 14, 1880, provides the sum of \$16,000 for this work. This is the first appropriation made for it.

During the present fiscal year it is proposed to expend this sum in beginning the work of improvement on that part of the river, sixty-four miles long, between Augusta and Trotter's Shoal, with a view to establishing a pole-boat channel three feet deep and thirty feet wide.

A pole-boat channel in the Senator's own State!

Mr. HILL, of Georgia. I am glad the honorable Senator has called my attention to the Savannah River. Now, I wish to make one or two remarks on that subject.

First, the Savannah River above Augusta for a distance of nearly one hundred miles drains two States, and portions of two of the most beautiful and fertile regions in those States, and is capable of developing a very fine and profitable commerce.

Besides, I do not know that the Senator from Illinois is not better informed than I am as to what is a pole-boat; but does that Senator know that three feet of water, and a pole-boat at that, may carry three hundred tons of freight?

Mr. LOGAN. Oh, yes; I suppose it would.

Mr. HILL, of Georgia. Very well; is that to be called a trout stream? Is that to be said not to be navigable, and not capable of being made navigable?

Mr. LOGAN. That was not the question.

Mr. HILL, of Georgia. That is the very question. The Senator said there were rivers mentioned in this bill that were neither navigable nor could be made navigable. I challenged that expression. I say there is no foundation for it.

Mr. LOGAN. I supposed the Senator meant navigable for steamboats or ships or something of that kind. Here is a stream navigable for a pole-boat, and I will show you, if you will allow me to read it, how it can be made navigable for a pole-boat.

The work to be done—

Mark it, it is to be three feet deep and thirty feet wide; that is, it can be made three feet deep and thirty feet wide—

The work to be done consists almost entirely in blasting rocks and dredging gravel in the channel, and in constructing wing-dams to contract the water-way.

So as to make it three feet deep and thirty feet wide by digging it out so that a pole-boat—that is, a boat pushed with a pole—can be made to go down stream; I do not know whether it can go up or not. That is the report.

Mr. HILL, of Georgia. The cause is those rivers have not sufficient depth to carry large steamers. Now, sir, large portions of this country are chiefly interested in smaller boats. As I said before, a boat that will carry three hundred tons burden may not draw, as I am informed, over two-and-a-half feet of water. That will do the commerce of a large portion of this country, including much even of New York and Illinois. Of course we could not carry such boats as go up the Hudson River, but they are ample accommodation for that country; they are ample for the business of that country, and they are navigable for boats, and some of them steamboats, at that.

Mr. BUTLER. I desire to say, Mr. President, in reference to the Savannah River, about which the Senator from Illinois has just been speaking, that nine-tenths at least of that river, within the distance referred to by the Engineer, is navigable for steamboats; and the channel to which he refers is simply through shoals, sometimes half a mile, sometimes three-quarters of a mile, and that is the channel to which the Engineer refers when he says he will make a three-foot channel through, and will put wing-dams up in order to concentrate the water.

Mr. LOGAN. So that a pole-boat can go through.

Mr. BUTLER. The impression that would be created by the remarks of the Senator would be that that channel was intended to be so the entire length of the river, which is a great mistake. I have no doubt, and I think the Engineer has no doubt, that when he does cut that channel through the shoals, it will be navigable for steamboats.

Mr. HILL, of Georgia. And it is the cleaning out of those very obstructions that make the appropriation necessary.

Mr. BUTLER. That is what it is for.

Mr. LOGAN. The Senator from South Carolina will notice that I simply wanted to read to the Senator from Georgia an appropriation in his own State which showed that he had a river there that was not navigable. That was all.

Mr. BUTLER. I think that what the Senator said would be very likely to create a misapprehension.

Mr. LOGAN. Not at all.

Mr. BUTLER. Not intentionally, of course, but I think the Senator's remarks would be very likely to mislead.

Mr. LOGAN. Not at all, because the report of the Engineer says it can be made "three feet deep and thirty feet wide" by an appropriation and by a certain character of work. Now, if it is navigable for steamboats up to this place, I suppose the proposition of the Engineer is to run a steamboat up there and then unload the steamboat and load a pole-boat and push it through this channel to another steamboat that never can get through. So these little puddle-holes at the different places between the bars will be used for steamboats and the bars be used by pole-boats. Is that the idea of it?

Mr. BUTLER. The Senator has given a very satisfactory solution of the Engineer's purpose in his own mind.

Mr. KERNAN. Mr. President, I repeat what I said, and I want to make an additional remark. It was said in debate elsewhere and it was said here by a Senator in reference to his own State that there were appropriations in the bill for streams that never would and never could float a steam-vessel or a sail-vessel or anything more than a boat that was floated down with the current and poled up by poles. There are none such in my State. Before we vote money on the theory of providing for commerce, I think there should be some one here who can say the stream is something more than the one alluded to by the Senator from Illinois and by the Senator from Pennsylvania, and I venture to say that no member of the committee and no member of the Senate will rise and say that there are not a large number of streams here provided for which never have been navigable in the sense of floating vessels propelled by steam or vessels propelled by sail or vessels larger than a scow-boat. That is what I said, and I do not think the cleaning out of these streams will relieve us from the exactions of railroads or some other mode of transporting our freights than by these pole-boats.

Mr. BURNSIDE. I notice that there are a good many Senators in the Hall now who have not been in the Hall during the entire evening. Those who have been here all the evening and during the entire session are becoming a little tired. I should like to know whether it would be in order to make a motion to stop talking and proceed to voting. ["Right!" "Right!"]

The PRESIDING OFFICER, (Mr. GARLAND in the chair.) Such a motion would not be in order.

Mr. BURNSIDE. I ask unanimous consent—

Mr. RANSOM. I have been trying to accomplish that for six hours.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois, [Mr. LOGAN.]

Mr. PLUMB. I simply want to answer a part of the question of the Senator from Georgia. He asked if there were any appropriations for the improvement of rivers in this bill which were not recommended as being navigable or as being susceptible of being made navigable by the engineers. I want to call his attention to two which I find on a cursory examination, one on line 523, "for improving Contentnia Creek, North Carolina, \$10,000." There is no recommendation at all by the engineers.

Mr. RANSOM. Pardon me. The Senator from Kansas was not in the Senate to-day when I made the explanation. Here is the report of the Engineer, and he recommends \$82,000 for it, and says that this appropriation will make it navigable. It is now navigable some distance; this will make it navigable for one hundred and odd miles.

Mr. TELLER. I should like to ask if there is any estimate sent to us by the Secretary of the Treasury, if it came to us in the Book of Estimates?

Mr. RANSOM. No, sir.

Mr. TELLER. It never has been estimated for.

Mr. RANSOM. There was no estimate for it, and for this reason: the survey has been completed since the meeting of Congress. The survey was not completed until six weeks ago.

Mr. PLUMB. I do not refer to private estimates carried around in the pockets of Senators. I was referring to the estimate made in the report of the Secretary of War. I will refer to another, and that is Pea's Creek, in Florida.

Mr. RANSOM. Let me correct the Senator from Kansas. This is a communication made by the Secretary of War to Congress, and published five or six weeks ago.

Mr. PLUMB. There is something upon the subject about what constitutes a navigable stream. I just call attention to two samples which came under my notice in regard to the character of the Guyandotte River, West Virginia:

It is proposed with the funds appropriated for the fiscal year 1880-'81 to continue present operations, extending them up above Logan Court House, into Wyoming, and possibly McDowell County, with the view of improving, firstly, the raft navigation over the entire river, and then, if funds are left, to begin work at certain special points with the view of improving for push-boat navigation—

Which I suppose is a superior kind of navigation—by the construction of suitable chutes.

And on page 1833 the Engineer refers to the Little Kanawha. Speaking of the accomplishment of the object by the expenditure of the appropriation of last year, he says:

It is believed, however, that in general the object aimed at was accomplished, and that rafting is now practicable at a much lower stage of water than ever before, and consequently much more frequently.

And how frequently is not stated; in other words, there are streams here that can be navigated with rafts semi-occasionally, and that constitutes a navigable stream.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois, [Mr. LOGAN.]

Mr. LOGAN. For the information of the Senator from Georgia, who was desirous of knowing what the Engineer had reported, I will read a paragraph on page 691, from the report of William P. Craig-hill, major of engineers:

It is suggested that any new appropriation for Elk River be not restricted to certain portions, as in the last case. The river needs improvement below the Big Sandy as well as above. Before the river can be considered properly prepared for the full development of the trade upon it, which the resources of the country will probably produce and maintain, some or all of the private mill-dams should certainly be removed or modified.

The Senator from Georgia will doubtless understand how to modify a private mill-dam. I do not.

Mr. EATON. Where is that stream?

Mr. LOGAN. It is in West Virginia, and I am sorry that the Senator who speaks always for the water of that State is not present. I will read further:

The unexpected cheapness and success, however, of the work of last season lead me to conclude that what remains can be done for very much less than the amount of that estimate, which was \$100,000.

That is for the purpose of modifying mill-dams.

An appropriation of \$5,000 was made June 14, 1880, which gives a total of \$10,000 for this river. The last appropriation was without the restrictions as to locality contained in the first. The money thus far has been spent in conformity to the idea of making an open navigation of ten or twelve inches depth at lowest water.

[Laughter.]

Our friend from Georgia can certainly explain the character of boats which can travel on this river that is to have a depth of ten to twelve inches after the mill dams are modified.

Mr. HILL, of Georgia. I am unfortunately not an engineer as the Senator from Illinois seems to think he is.

Mr. LOGAN. No; but I think I can steer a raft.

Mr. HILL, of Georgia. I will not undertake to explain the reports made by the engineers, nor have I had them before me, nor do I care to have them before me. The question I propounded to the honorable Senator from New York, and which no man has yet dared to deny, is, was there a stream in this bill which had not been reported by the official engineers of the Government as a proper stream for the appropriation of the money contained in this bill? Now, if the engineers of the Government do not understand what is navigable and what is not navigable, I am not responsible for their mistake nor for their inefficiency.

Mr. LOGAN. The Senator will understand me; I was merely attempting to sustain his proposition by showing that these engineers had said that they could make a stream ten or twelve inches deep for \$100,000 if the mill-dams were modified.

Mr. HILL, of Georgia. I am very much obliged to the Senator, but I am not engaged to-night in trying to make fun for the Senate or the galleries; I am not engaged in that business. I am indulging in no wit or humor. I am dealing with a question which is of serious consequence to the people, and I endeavor to deal with it accordingly.

What I have said is—and that is the point I make, I care not who says to the contrary; let any gentleman say to the contrary—I know of no stream to which money is appropriated by this bill which has not been reported by the official engineers of the Government as a proper stream for the appropriation proposed, and I believe in almost every instance the appropriation proposed by this bill is scarcely more than one-half of that reported and recommended as the proper estimate by the Government officials.

Mr. EATON. I should like to say one word to my friend from Georgia. I do not propose to participate in this discussion. Does not my friend from Georgia understand exactly how this thing is brought about? He has asked the question, and with a great deal of vigor, Is there any stream where there has not been a report from an engineer of the United States? Now, does not my friend know exactly how that is brought about?

Here comes a petition asking for a survey. We pass it. There is one from my State now that I will not vote for, and it is in this bill, that ought not to be voted for. That survey is voted for; the engineers are put upon it, and the engineers reply in the exact words which have been read by the Senator from Illinois, that if you will spend \$100,000 you can get a push-boat over here if it does not draw over ten inches of water. I do not call that a recommendation from the engineers of the United States. They simply tell you when Congress asks them to survey a stream exactly what can be accomplished by the expenditure of \$50,000 or \$100,000. That does not make navigable streams, permit me to say to my friend from Georgia. They simply tell you what they can do if you will spend \$100,000.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Illinois.

Mr. JONAS. I wish to say a word or two in reference to the amendment offered by the Senator from Illinois. He proposes, if I understand him aright, to strike out the latter portion of the proviso contained between lines 423 and 427, on page 18. This proviso was inserted in the House of Representatives to prevent and guard against any portion of the sum of money appropriated for the improvement of the Mississippi River being used solely for the purpose of the repair or construction of levees. The proviso reads:

Provided, That no portion of the sum hereby appropriated shall be used in the repair or construction of levees for the purpose of preventing injury to lands by overflow.

The Senator proposes to strike out the remainder of the proviso.

Now, Mr. President, representing as I do a State which requires levees to prevent the encroachment of the river, I do not stand here to advocate the expenditure of a single dollar by the General Government for the purpose of building levees for the purpose of protecting private land from overflow, or for the purpose of preventing destruction to private property from the overflow of the river, and I think this proviso is sufficiently guarded and plain and express. But the Senator from Illinois, in order to make it more plain as he says, proposes to strike out the subsequent words "or for any other purpose whatever, except as a means of deepening or improving the channel of said river."

I object to this portion of the amendment. While I do not ask on the part of the Government that a dollar of this money shall be expended for the purpose of the repair or construction of levees in order to prevent injury to land by overflow, it may become necessary in the opinion of the commission of engineers, under whose direction this money is to be expended, to use the levee system exceptionally and in some portion of that improvement for the purpose of widening and deepening the channel of the Mississippi River; and the effect of striking out this last clause would be to determine that the commissioners charged with this work, the engineers of the Government charged with this work, should not use the levee system at all, even if that system should be necessary for the purpose of deepening and maintaining the channel of the Mississippi.

Mr. President, it may be necessary to use levees; it may be necessary to use jetties; it may be necessary to construct dikes. What

we propose is that this million of dollars shall be expended, not for the purpose of protecting private lands from overflow, but for the purpose of deepening and maintaining a channel in the Mississippi River, and if in the judgment of the engineers charged with this work it shall become necessary to build certain levees for the purpose of stopping a crevasse through which the waters of the river have wasted away or for the purpose of confining the water within a narrower channel, because levees after all are nothing more than jetties, levees being built on the bank and jetties being built in the water. I do not propose that they shall be controlled and directed so that a levee may not be built even if a levee should be the best practicable mode for carrying out and achieving the object which we desire to attain by making this appropriation. Therefore I am opposed to the amendment.

Mr. LOGAN. Mr. President, the object I have, as I stated before, is this: under this bill as it is now provided doubtless this commission if it desired to do so could expend the whole of the million of dollars in levees. The Senator from Missouri [Mr. COCKRELL] shakes his head. Let me read and see:

That no portion of the sum hereby appropriated shall be used in the repair or construction of levees for the purpose of preventing injury to lands by overflow, or for any other purpose whatever except as a means of deepening or improving the channel of said river.

If the commissioners should come to the conclusion that the best mode of deepening the channel of the Mississippi River in their judgment would be by levees, they could expend the whole of that money for that purpose, because it is a matter in their judgment alone by this bill. "Except as a means of deepening or improving the channel of said river."

Mr. COCKRELL. I think the Senator is thoroughly mistaken. If he will allow me to make the suggestion, that river improvement commission reported a plan and system for improving the navigability of the river, and that plan and system was to give the river in the shoal places, where the river is very wide, the same width between its banks that it has above and below, reducing it to an average width of 3,000 feet, and that that would necessarily give the same depth of water, and they only touch upon the levees incidentally, and that report is not unanimous upon that point at all. The commission will expend this money in pursuance of that plan in taking certain shoals at different points of the river, and where the river is from one to three miles wide, and contracting the channel to the same width it has above and below.

Mr. LOGAN. Not contract it by building levees?

Mr. COCKRELL. No, sir; not by building levees; there is nothing of levees at all. The commission tried the question of levees; they tried outlets; and why? Because we ordered them to do it. Some of them say that levees may facilitate navigation in the end. That is not a unanimous report even on that point. They speak of the outlet system, and they do that because they were directed to consider those different plans; but their plan of improvement to be carried out under the legislation of this bill is to give a uniform width to the waters of the river which must produce a uniform depth; and that will be done in these wide places by using mattresses, by using what they use on the Missouri and Mississippi Rivers, wire netting, sinking them in the wire and forming an embankment; but it is not to be done by the levee system.

I say to the Senator that I do not understand any one here to be advocating a levee system for the reclamation of the alluvial land belonging to private individuals in that section. I say very frankly that I am opposed to that, and I shall never vote one dollar for the object of building levees for the reclamation of private lands belonging to individuals, and the Government has not got an acre of public land up and down the Mississippi River.

Mr. TELLER. I have not the report of that commission on my table now. I have had it here, and I have read it very carefully. I say that no man can read it and not come to the conclusion that they propose to adopt the levee system. They go on and state all of these other systems familiar to engineers, the filling up the break in the bank, and then they speak of the advantage of the levees, and as I read the report they go on and tell why, and then they argue the question as to the power of Congress to authorize the levees. I tell you, the majority of the commission come here, with two of the members dissenting, with the theory that they are to build levees, and that is the plan of the commission, and no other plan can be gathered from that report for the purpose of narrowing the river.

Mr. LOGAN rose.

Mr. COCKRELL. Now I will read from the commission report if the Senator will permit me.

Mr. LOGAN. Certainly.

Mr. COCKRELL. Here is the report:

WASHINGTON, D. C., February 17, 1880.

The work assigned to the commission was—

First. To direct and complete such surveys of the Mississippi River between the head of the passes, near its mouth, and its headwaters, as were then in progress; and to make such additional surveys and examinations of said river and its tributaries as might by it be deemed necessary.

Second. To take into consideration and mature such plan or plans as will correct, permanently locate, and deepen the channel, and protect the banks of the Mississippi River; improve and give safety and ease to the navigation thereof; prevent destructive floods and promote and facilitate commerce and the postal service;

and with such plans to prepare and submit estimates of the cost of executing the work.

Third. To report specifically upon the practicability, feasibility, and probable cost of the plans known as the jetty system, the levee system, and the outlet system.

They were required to report upon those three systems. I say they did not adopt the levee system, they did not adopt the outlet system, but they did adopt the jetty system or that of net-work along the bank, and they do not report in favor of levees.

Mr. LOGAN. Very well, then, if they do not report in favor of levees and you desire a million of dollars for the purpose of carrying out the report of this commission, why do you provide that they may expend part of this money in levees, I should like to know. It is just exactly like the reports in reference to the small streams; every time you make an appropriation for a small stream here like the one I have read about, it leads to more. I have read the engineers' reports and I find one stream where they can make it deep enough to push a raft down.

I do not know how many more I could find, but whenever an appropriation of money is made and a part of the money appropriated is used for a particular purpose, then it becomes a part of the work of the Government, and the Government must expend money every year for that purpose. If this money is used for the purpose of repairing levees, the very thing made this year will be estimated for next year, and in that way it will become a part of the system that levees shall be established on the Mississippi River, and we shall appropriate money for them every year. The Government of the United States, in my judgment, ought not to appropriate money for either making levees or repairing levees. It is no part of their duty, in my judgment, to do it, because it is certainly a system that never can succeed on the Mississippi river. The Mississippi runs sometimes so as to strike the shore and cuts it away for miles, and then it turns and does the same thing on the other shore. Levees will not hold it within its walls or confine it at all, and the appropriating of money for that purpose is the same as throwing it into the Mississippi River, in my judgment. Hence I hope that this bill will confine the operation to the river in some other form than by giving authority to build levees or maintain levees by the appropriation.

Mr. RANSOM. Now, Mr. President, I hope we shall have a vote on this question.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Illinois, which will be read.

The SECRETARY. In line 425, after the word "levees," it is proposed to strike out down to and including the word "river," in line 427, as follows:

Or for any other purpose whatever, except as a means of deepening or improving the channel of said river.

Mr. LOGAN called for the yeas and nays, and they were ordered and taken.

Mr. KELLOGG. I am paired with the Senator from Illinois, [Mr. DAVIS.] If he were present, he would vote "yea" and I should vote "nay."

Mr. PENDLETON. My colleague [Mr. THURMAN] is paired during the whole evening with the Senator from Rhode Island, [Mr. ANTHONY.]

The result was announced—yeas 7, nays 37; as follows:

YEAS—7.			
Allison, Eaton,	Jones of Nevada, Logan,	Paddock, Plumb,	Teller.
NAYS—37.			
Bailey, Bayard, Beck, Brown, Bruce, Burnside, Butler, Call, Coke, Davis of W. Va.,	Dawes, Farley, Ferry, Garland, Hampton, Harris, Hereford, Hill of Georgia, Johnston, Jonas,	Jones of Florida, Kernan, Lamar, McDonald, Maxey, Morgan, Pendleton, Pugh, Ransom, Saulsbury,	Saunders, Slater, Vance, Vest, Voorhees, Wallace, Williams.
ABSENT—31.			
Anthony, Baldwin, Blaine, Blair, Booth, Cameron of Pa., Cameron of Wis., Cockrell,	Conkling, Davis of Illinois, Edmunds, Groome, Grover, Hamlin, Hill of Colorado, Hoar,	Ingalls, Kellogg, Kirkwood, McMillan, McPherson, Morrill, Platt, Randolph,	Rollins, Sharon, Thurman, Walker, Whyte, Windom, Withers.

So the amendment was rejected.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. TELLER. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BURNSIDE, (when Mr. ANTHONY's name was called.) On this question my colleague [Mr. ANTHONY] is paired with the Senator from Ohio, [Mr. THURMAN.] If my colleague were here, he would vote "yea."

Mr. FERRY, (when Mr. BALDWIN's name was called.) My col-

league [Mr. BALDWIN] is paired with the Senator from Vermont, [Mr. MORRILL.] Were he here, my colleague would vote "yea."

Mr. TELLER, (when the name of Mr. HILL, of Colorado, was called.) My colleague [Mr. HILL] is paired with the Senator from Iowa, [Mr. ALLISON.] If my colleague were here, he would vote "nay."

Mr. INGALLS, (when his name was called.) I am paired on the passage of this bill with the Senator from Massachusetts, [Mr. HOAR.] If he were present, I should vote "nay."

Mr. KELLOGG, (when his name was called.) I am paired with the Senator from Illinois [Mr. DAVIS] on the passage of this bill. If he were present, I should vote "yea."

Mr. EATON, (when Mr. PLATT's name was called.) My colleague [Mr. PLATT] is paired with the Senator from Mississippi, [Mr. BRUCE.] If my colleague were here, he would vote "nay."

Mr. TELLER, (when his name was called.) On this question I am paired with the Senator from Wisconsin, [Mr. CAMERON.] If he were present, I should vote "nay."

Mr. THURMAN, (when his name was called.) I am paired with the Senator from Rhode Island, [Mr. ANTHONY.] Were he present, I should vote "nay."

The roll-call was concluded.

Mr. CAMERON, of Pennsylvania. On this question I am paired with the Senator from New York, [Mr. CONKLING.] If he were present, he would vote "nay," and I should vote "yea."

The result was announced—yeas 32, nays 12; as follows:

YEAS—32.			
Beck, Brown, Bruce, Burnside, Butler, Call, Coke, Davis of W. Va.,	Farley, Ferry, Garland, Groome, Hampton, Hereford, Hill of Georgia, Johnston,	Jonas, Jones of Florida, Lamar, McDonald, McMillan, Maxey, Paddock, Pugh,	Ransom, Saunders, Slater, Vance, Vest, Voorhees, Walker, Williams.
NAYS—12.			
Bailey, Bayard, Blair,	Dawes, Eaton, Harris,	Jones of Nevada, Kernan, Logan,	Pendleton, Saulsbury, Wallace.
ABSENT—31.			
Allison, Anthony, Baldwin, Blaine, Blair, Booth, Cameron of Pa., Cameron of Wis., Cockrell,	Conkling, Davis of Illinois, Edmunds, Grover, Hamlin, Hill of Colorado, Hoar, Ingalls,	Kellogg, Kirkwood, McPherson, Morgan, Morrill, Platt, Plumb, Randolph,	Rollins, Sharon, Teller, Thurman, Whyte, Windom, Withers.

So the bill was passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. THEODORE F. KING, one of its clerks, advised the Senate that the House had postponed the ceremonies fixed for Sunday (to-morrow) at three p. m. in commemoration of Hon. FERNANDO WOOD until Monday evening at eight o'clock.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions:

A bill (S. No. 76) for the relief of M. F. Clark;
A bill (S. No. 326) for the relief of Henry F. Lines;
A bill (S. No. 367) granting an increase of pension to Isabel L. Evans;

A bill (S. No. 753) to provide for the sale of the remainder of the reservation of the confederated Otoe and Missouri tribes of Indians, in the States of Nebraska and Kansas, and for other purposes;

A bill (S. No. 1181) for the relief of Dodd, Brown & Co., of Saint Louis, Missouri;

A bill (S. No. 1905) changing the name of the First National Bank of West Meriden, in the County of New Haven, and State of Connecticut;

A bill (S. No. 2184) to authorize the commissioners of the District of Columbia to appoint additional policemen for temporary service in the District of Columbia, and for other purposes;

A bill (H. R. No. 7036) to establish post-routes;

A bill (H. R. No. 7033) making the city of Chattanooga, in the State of Tennessee, a port of delivery;

A bill (H. R. No. 7103) to constitute Atlanta, Georgia, a port of delivery;

A joint resolution (S. R. No. 79) directing the Secretary of War to investigate the claim of the State of Florida against the United States for expenditures made in suppressing Indian hostilities in said State between the years 1855 and 1860, and to report the result of such investigation to Congress; and

A joint resolution (S. R. No. 156) in relation to the international exhibition of 1883.

AMENDMENT TO A BILL.

Mr. McDONALD submitted an amendment intended to be proposed by him to the bill (H. R. No. 7203) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1882, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

ALLOWANCE OF CLAIMS.

Mr. COCKRELL. There is pending before the Senate a House bill (No. 6717) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department. The claims have all been passed upon by the proper officers, reported to the House; the House has passed the bill, sent it to the Senate; and it has been referred to the Committee on Claims, examined by that committee, and I have been instructed to report it back favorably to the Senate without amendment. The bill consists entirely of the enacting clause making the appropriation and the names of the parties and the amounts. It can be passed in just a moment. There are fifteen or sixteen States, including the States of Pennsylvania, Ohio, Maryland, and West Virginia, that are interested in it. It can be passed in less than five minutes, if it shall be the pleasure of the Senate to pass it so that it may be enrolled and got to the President before the adjournment. It provides for claims for quartermaster and commissary supplies.

The PRESIDING OFFICER. The Senator from Missouri asks the present consideration of the bill just reported.

The bill (H. R. No. 6717) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department was considered as in Committee of the Whole.

The Chief Clerk read the enacting clause of the bill.

Mr. COCKRELL. All the rest is simply a statement of names and amounts. I ask that the reading of that portion of the bill be dispensed with.

The PRESIDING OFFICER. The Chair hears no objection, and the reading will be dispensed with.

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

THE BRIG GENERAL ARMSTRONG.

Mr. PENDLETON. I desire to call up the unfinished business.

The PRESIDING OFFICER. The Senator from Ohio calls up the unfinished business, which is Senate bill No. 1441, for the relief of the captain, owners, officers, and crew of the late United States private-armed brig General Armstrong, their heirs, executors, administrators, or assigns.

Mr. PENDLETON. Now I move that the Senate adjourn.

The motion was agreed to; and (at eleven o'clock and seven minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, February 26, 1881.

The House met at eleven o'clock a. m. Prayer by Rev. DAVID WILLS, chaplain United States Army.

JOURNALS OF THURSDAY'S AND FRIDAY'S PROCEEDINGS.

The SPEAKER. The Clerk will now read the Journals of Thursday's and Friday's proceedings.

The Clerk proceeded to read the Journals.

Mr. SPRINGER. Mr. Speaker, I move that by unanimous consent the further reading of the Journals be dispensed with to-day.

The SPEAKER. The Chair thinks the Journals should be read.

Mr. HUTCHINS. I object.

The Clerk resumed and concluded the reading of the Journals.

The Journals were then approved.

ORDER OF BUSINESS.

Mr. BLOUNT. I demand the regular order.

The SPEAKER. The regular order is the morning hour.

Mr. WILSON. I wish to make a privileged report.

Mr. BLOUNT. I move to suspend the morning hour to-day to proceed with the sundry civil appropriation bill, and pending that motion that all debate upon the pending paragraph and amendments thereto be closed in twenty minutes.

The SPEAKER. The Chair would suggest that the gentleman submit his motion in the form of a suspension of the rules.

Mr. BLOUNT. Then I move to suspend the rules to-day and that the House resolve itself in Committee of the Whole on the state of the Union for the purpose of further considering the sundry civil appropriation bill; and also, that all debate upon the pending paragraph and amendments thereto be closed in twenty minutes.

The House divided; and there were—ayes 142, noes 15.

So (two-thirds having voted in favor thereof) the rules were suspended in manner as stated, and the motion agreed to.

The SPEAKER. Pending the order of the House on the motion to go into Committee of the Whole, the Committee on the Library desire to have printed a Senate bill.

Mr. BURROWS. What becomes of the motion to limit debate?

The SPEAKER. That was embraced in the motion to suspend the rules and go into Committee of the Whole for the purpose indicated.

CONGRESSIONAL LIBRARY BUILDING.

On motion of Mr. GEDDES, by unanimous consent, Senate bill No. 1988, authorizing the construction of a building for the accommoda-

tion of the Congressional Library, was ordered to be printed for the use of the members of the House.

USE OF THE HALL TO-NIGHT.

Mr. WEAVER. Mr. Speaker, I desire to submit a resolution by consent at this time, to which I hope there will be no objection.

The SPEAKER. The regular order is demanded, and the House has resolved to go into Committee of the Whole on the state of the Union.

Mr. WEAVER. I will state briefly the object of this motion, and I hope there will be no objection to it. A member of the German Reichstag, Hon. J. W. Fritzsche, will be in the city to-day, and his friends greatly desire that he shall have the use of the Hall to-night for the purpose of delivering a lecture upon the condition of the German people, especially with reference to the laboring and working classes in the German Empire. This is simply a resolution which I desire to pass granting the use of the Hall for that purpose if it be not occupied by a session of the House. [Cries of "Regular order!"]

The SPEAKER. The regular order being demanded on all sides, the Chair is unable to entertain the resolution. Several members have objected.

SUNDRY CIVIL APPROPRIATION BILL.

The House accordingly resolved itself in Committee of the Whole on the state of the Union, Mr. HARRIS, of Virginia, in the chair.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union to further consider the sundry civil appropriation bill. The Clerk will report the pending amendment, on which, by previous order of the House, all debate is limited to twenty minutes.

The Clerk read as follows:

To enable the Secretary of the Navy to establish at the Isthmus of Panama naval stations and depots of coal for the supply of steamships of war, \$200,000, to be available for expenditure as soon as suitable arrangements can be made to the proposed end.

Mr. HERBERT. Mr. Chairman, the fact that the private secretary of the President appeared before the sub-committee of the Committee on Appropriations on this amendment indicates an extraordinary anxiety for its passage. The House will remember that the President, in a recent message to Congress, asserted a right on the part of this Government to exercise control over interoceanic commerce across the American Isthmus. In his opinion the Monroe doctrine has some sort of application to this subject. This amendment, giving as it does to the President discretion in this matter to spend \$200,000 where he may see proper along the Isthmus, if passed will indicate an intention on the part of Congress to enable the Government to carry out that idea as expressed in that portion of the President's message.

If we pass it and the President takes the steps contemplated thereby, it will be taken as an approval by Congress of that portion of the message, and this Government will be committed to a policy which seems to me unwise, untenable, and full of danger.

The Monroe doctrine as I understand it grew out of peculiar circumstances. In 1823 Russia, Prussia, France, and Austria were about to take steps to propagate upon this continent monarchical institutions by force. They contemplated restoring the authority and power of European monarchies over the colonies in South and Central America which had established their independence and set up republican governments. When it was made known to our Government that such intentions were entertained President Monroe sent in his famous message. Read by the light of surrounding circumstances that message simply means this Government will resist any attempt on the part of European monarchies to overturn republican governments on this continent. That declaration was wise and statesmanlike—prompted by the instinct of self-preservation. But circumstances have entirely changed. There is no longer any disposition or manifestation of intention on the part of European monarchies to propagate their systems here by force.

No occasion has arisen to cause any alarm for the safety of our Government. No attack is threatened on republican institutions. The alarm has been sounded by President Hayes simply because some enterprising Frenchmen propose to dig a canal across the Isthmus, and these Frenchmen not only work under a charter from the government to which the Isthmus belongs, but they are themselves citizens of a sister republic, the republic of France. Sir, Mr. Monroe never intended to advance the absurd and dangerous doctrine that the United States had the power or the right to say that the United States of Colombia, a foreign nation, might not charter, if it saw proper, an interoceanic canal within its own borders and permit the subjects of any foreign nation at its pleasure to take stock in and carry on such enterprise.

Mr. WILSON. Provided it was all under the control of the Colombian Government.

Mr. HERBERT. Yes, sir. I say that no intention existed on the part of President Monroe to establish any such dangerous and absurd doctrine as that this Government had the right to control interoceanic commerce across the American Isthmus. His declaration was aimed at the establishment of political institutions, hostile political systems, by the governments of the Old World upon this continent.

Let us, Mr. Chairman, remember that we are not now situated as this Government was then. We are in no danger of foreign inter-