

merials of the following titles were introduced, and severally referred as follows:

By Mr. BAILEY: A bill (H. R. 4293) to repeal the laws providing for the retirement of officers of the Army of the United States—to the Committee on Military Affairs.

Also, a bill (H. R. 4294) to repeal the laws providing for the retirement of officers of the Navy of the United States—to the Committee on Naval Affairs.

Also, a bill (H. R. 4295) to repeal section 714 of the Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. HOLMAN: A bill (H. R. 4296) to amend an act, approved May 2, 1890, entitled "An act to provide a temporary government for the Territory of Oklahoma," etc.—to the Committee on Indian Affairs.

By Mr. CURTIS of New York: A bill (H. R. 4297) to create the western judicial circuit of New York—to the Committee on the Judiciary.

By Mr. McALEER: A bill (H. R. 4298) to authorize the sale to the Schuylkill River East Side Railroad Company of a lot of ground belonging to the United States Naval Asylum in the city of Philadelphia, Pa.—to the Committee on Naval Affairs.

By Mr. WAUGH: A joint resolution (H. Res. 81) requiring the Commissioner of Pensions to furnish a copy of charges or information tending to defeat the granting or continuation of a pension already granted in certain cases—to the Committee on Invalid Pensions.

By Mr. FITHIAN: A resolution asking for a day to be fixed for the consideration of the bill (H. R. 2655) for the free admission to American registry of ships built in foreign countries—to the Committee on Rules.

PRIVATE BILLS, ETC.

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

By Mr. CARUTH: A bill (H. R. 4299) granting a pension to Mary L. Tweddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4300) for the relief of John Veeley—to the Committee on Claims.

By Mr. CLARK of Missouri: A bill (H. R. 4301) for the relief of George D. Biggs and Samuel C. Downing—to the Committee on Claims.

By Mr. CRAIN: A bill (H. R. 4302) to amend an act approved May 12, 1890, granting to the Aransas Pass Harbor Company the right to improve Aransas Pass, Texas—to the Committee on Rivers and Harbors.

By Mr. JOY: A bill (H. R. 4303) for the relief of the heirs of Joseph Kulage, deceased—to the Committee on War Claims.

By Mr. MORGAN: A bill (H. R. 4304) for the relief of David Hogan—to the Committee on War Claims.

By Mr. TATE (by request): A bill (H. R. 4305) for the relief of Anson B. Sams—to the Committee on War Claims.

By Mr. WOLVERTON: A bill (H. R. 4306) for the relief of John W. Pullman—to the Committee on Claims.

PETITIONS, ETC.

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

By Mr. ALDRICH: Petition of the Congregational Ministers' Union, of Chicago, for the repeal of the Geary law—to the Committee on Foreign Affairs.

By Mr. BAKER of New Hampshire: Memorial of citizens of Cheshire County, N. H., in regard to the alcoholic liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. BELDEN: Resolutions of Central New York Pomona Grange, of Syracuse, N. Y., representing 47 granges in central New York, against any reduction in tariff on farm products—to the Committee on Ways and Means.

By Mr. CUMMINGS: Protest of 200 exhibitors at the World's Columbian Exposition against the passage of House resolution 77, conferring diplomas upon designers, inventors, and expert artisans—to the Committee on Appropriations.

By Mr. DOOLITTLE: Memorial of the Port Townsend (Wash.) Chamber of Commerce, calling the attention of Congress to the present condition of the laboring classes of the State of Washington, and petitioning the promotion of public works, to accompany House bill 4288—to the Committee on Military Affairs.

By Mr. ELLIS of Oregon: Petition of 98 citizens of Dufer and 66 citizens of Wasco, both of Oregon, asking for the passage of a bill to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes"—to the Committee on the Public Lands.

By Mr. FLETCHER: Petition of Presbyterian Ministers' As-

sociation, of Minneapolis, Minn., in favor of the repeal of the Geary law—to the Committee on Foreign Affairs.

By Mr. HITT: Petition of 23 citizens of Rockford, Ill., in behalf of the passage of House bill 3188 for punishment of train wrecking—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Protest of 50 mechanics of Meriden, Conn., against any change in tariff—to the Committee on Ways and Means.

By Mr. POST: Petition of W. Rector and W. A. Vaughan, and 36 other citizens of Smithfield, Ill., in favor of the passage of a bill for the punishment of train wrecking—to the Committee on Interstate and Foreign Commerce.

By Mr. RAYNER: Petition of the ministers and elders convened as the Synod of Baltimore, asking for the repeal or modification of the Geary law—to the Committee on Foreign Affairs.

By Mr. RUSSELL of Connecticut: Petition of Norwich Typographical Union, No. 100, for time work on the contemplated new Government Printing Office—to the Committee on Appropriations.

By Mr. WEADOCK: Petition of H. M. Youmans, asking that the election of William S. Linton be vacated on the ground of fraud—to the Committee on Elections.

SENATE.

TUESDAY, October 31, 1893.

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

The VICE-PRESIDENT. The Journal of the proceedings of the last legislative day will be read by the Secretary.

The Secretary proceeded to read the Journal of the proceedings of the legislative day Tuesday, October 17, 1893.

Mr. SHERMAN. As the Journal covers many days, I think it would be hardly worth while to read it. Most of it is merely formal matter. I move, therefore, to dispense with the reading of the Journal.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Ohio? The Chair hears none, and it is so ordered. The Journal will stand approved.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a statement from the Acting Director of the Mint in relation to an appropriation of \$15,000 for freight on bullion and coin between mints and assay offices for the current fiscal year; which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. McMILLAN presented a petition of Typographical Union, No. 72, of Lansing, Mich., praying for the immediate construction, by day labor, of a building for the Government Printing Office; which was referred to the Committee on Public Buildings and Grounds.

Mr. VEST presented a petition of the Commercial Club of Kansas City, Mo., praying for such modification of the duties on imports from Mexico as will encourage trade between that country and the United States; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. MILLS, from the Committee on the Library, to whom was referred the joint resolution (H. Res. 71) to permit the sculptor to exhibit the statues of Columbus and Isabella in Statuary Hall, reported adversely thereon, and the bill was postponed indefinitely.

Mr. VOORHEES, from the Committee on the Library, to whom the subject was referred, reported a bill (S. 1137) to provide for the printing of the report of the Joint Committee of Congress and proceedings at the centennial celebration of the laying of the corner stone of the Capitol; which was read twice by its title, and, on motion of Mr. VOORHEES, referred to the Committee on Printing.

Mr. PALMER, from the Committee on Pensions, to whom the subject was referred, reported a bill (S. 1138) to repeal so much of a proviso of an act entitled "An act making appropriations for invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes," approved March 1, 1893, as relates to the payment of pensions to nonresidents who are not citizens of the United States; which was read twice by its title.

COURTS IN SOUTH DAKOTA.

Mr. PUGH. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 2799) to provide for the time

and place of holding the terms of the United States circuit and district courts in the State of South Dakota, to report it with amendments. The Senators from South Dakota are very anxious for the passage of the bill, and I ask unanimous consent for its immediate consideration.

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

The first amendment of the Committee on the Judiciary was in section 2, line 7, after the word "Todd," to insert, "Beadle, Kingsbury, Crow Creek, and Lower Brule;" and in line 11, to strike out the words "Beadle, Kingsbury."

The amendment was agreed to.

The next amendment was in section 2, line 13, to insert "McPherson, Edmunds, Campbell, Walworth;" in line 16, to strike out "McPherson, Edmunds;" and in line 17 to strike out "Campbell, Walworth."

The amendment was agreed to.

The next amendment was in section 2, line 20, after the words "Standing Rock," to insert "and;" and in line 21, to strike out the words "Lower Brule, and Crow Creek."

The amendment was agreed to.

The next amendment was to add at the end of section 6:

And all grand and petit juries for the circuit and district courts shall be drawn by the clerk of the circuit court, and all grand and petit jurors summoned for service in each division shall be residents of such division.

The amendment was agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SETTLERS UNDER DESERT-LAND ACT.

Mr. WALTHALL. I am directed by the Committee on Public Lands to report back favorably, with an amendment, the bill (S. 592) to extend the time for making final payments on entries under the desert-land act, and to ask for its immediate consideration. It is a very short bill.

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

The amendment of the Committee on Public Lands was, to strike out all after the enacting clause and insert:

That the time of making final payments on entries under the desert-land act is hereby extended for one year from the date when the same become due in all cases where desert-land entrymen are unable to make final payments from causes which they cannot control, evidence of such inability to be subject to the regulations of the Secretary of the Interior.

Mr. HOAR. I do not wish to interfere with anything which the Senator from Mississippi thinks desirable, unless some question of principle is at stake; but it seems to me that this is important legislation and should come in the ordinary way, unless there be some good reason for haste.

Mr. WALTHALL. I will state the reason why immediate action is desired. The bill is intended to afford some slight relief to the desert-land entrymen. Most of the desert-land entries are located in what are called the mining States. The people of those States, for reasons which have been pretty fully discussed here of late, are in a condition of considerable financial distress. The bill as originally introduced proposed to extend the time to make final payment on entries under the desert-land act for three years. The amendment of the committee proposes to extend the time not for three years, but for one year, and to limit the benefits of the extension to persons who deserve it and ought to have it. It is very apparent that the bill ought to pass at once if it passes at all.

Mr. POWER. I hope the Senator from Massachusetts will not object to the consideration of the bill. I introduced the bill at the request of settlers of Montana and other mining States, and it is important that the time should be extended one year. It is reported favorably by the committee on the recommendation of the Commissioner of the General Land Office.

Mr. WALTHALL. I will state further for the information of the Senator from Massachusetts that a bill even more liberal than this has passed the Senate and passed the other House at the present session for the benefit of homestead settlers in Oklahoma.

Mr. HOAR. I interposed the objection without knowing what bill was before the Senate, and of course without knowing what were its particular provisions. I merely wanted to call attention to the fact that it is not a wise method of legislation to pass important general bills in this way, out of order and in the morning hour. But on the statement which has been made by the Senator from Mississippi, and especially by the Senator from Montana who introduced the bill, I shall not press objection to this measure.

Mr. WALTHALL. I wish to state further, for the benefit of the Senator from Massachusetts, that the bill is unanimously reported by the Committee on Public Lands. It has met the ap-

proval of the Commissioner of the General Land Office. There seems to be no possible objection that can be urged to it. Otherwise I should not have asked that it be taken up at this time.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

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

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

BILLS INTRODUCED.

Mr. COKE introduced a bill (S. 1139) to amend an act of Congress approved May 19, 1890, granting to the Aransas Pass Harbor Company the right to improve Aransas Pass; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HUNTON introduced a bill (S. 1140) for the relief of William Bushby; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 1141) for the relief of S. J. Block and A. P. Baurman, of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. POWER introduced a bill (S. 1142) directing the parting and refining of bullion to be carried on at the United States assay office at Helena, Mont.; which was read twice by its title, and referred to the Committee on Finance.

Mr. HOAR introduced a bill (S. 1143) for the speedy determination of questions touching the jurisdiction of circuit courts; which was read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF THE RULES.

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

Resolved, That the Committee on Rules be instructed to inquire and report to the Senate what revision of or amendments to the rules, if any, should be adopted to secure a more efficient and satisfactory disposition of the business of the Senate.

Mr. GORMAN subsequently said: I ask unanimous consent that the various amendments proposed to the rules which are lying on the table be referred to the Committee on Rules.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Senator from Maryland asks unanimous consent that pending amendments to the rules of the Senate be referred to the Committee on Rules. Is there objection to the request of the Senator from Maryland? The Chair hears none, and it is so ordered.

HOUR OF MEETING.

On motion of Mr. JONES of Arkansas, it was

Ordered, That the hour of the daily meeting of the Senate be 12 o'clock meridian, until otherwise ordered.

COMMITTEE ON AGRICULTURE AND FORESTRY.

Mr. GEORGE. Mr. President, I ask leave to introduce a resolution to continue the powers and duties of the Committee on Agriculture and Forestry as defined by resolutions heretofore passed by the Senate. Owing to the extra session the duties which were imposed by the Senate upon that committee could not be performed, and it is the purpose of the committee to go on now and perform the duties. The money for this purpose has already been provided and set apart by the Senate upon the report of the Committee on Contingent Expenses. It is necessary now to pass another resolution continuing the powers and duties of the committee during the recess and the next session of Congress. I therefore introduce and ask for the present consideration of the following resolution:

Resolved, That the powers conferred and duties imposed on the Committee on Agriculture and Forestry, and all the provisions of the resolutions of April 19, 1892, and March 3, 1893, be continued during the recess after the expiration of the present session and during the next session of the Senate.

I ask for the consideration of the resolution at this time.

Mr. WHITE of Louisiana. I ask the Senator from Mississippi if the resolution does not provide for the expenditure of money from the contingent fund of the Senate?

Mr. GEORGE. The matter has already been referred to the Committee on Contingent Expenses and the sum necessary for the investigation allotted by the Senate on the report of the committee.

Mr. WHITE of Louisiana. I understand, then, that the purpose of the resolution is simply to cover the allotment of funds already made.

Mr. GEORGE. It is an allotment already made, and the money remains unexpended because the committee were unable, owing to the present extra session of Congress, to perform the duties imposed on them.

Mr. HOAR. I wish to inquire of the Senator from Mississippi if he can inform this side of the Chamber what he understands, so far as the purposes of the majority are concerned, by the re-

cess of the Senate of which the resolution speaks. I suppose there are a good many of us who would like to make arrangements for a recess, if one is to be taken. In my own State there is an important political campaign going on which I should like to take part in if I can do so without sacrificing other public obligations. What recess does the Senator anticipate?

Mr. GEORGE. I was informed by the financial clerk of the Senate that if there is a recess of the Senate, the powers and duties of the committee will expire. It was to cover a contingency of that kind that I have offered the resolution. It is to be done should a recess occur, but I do not know whether a recess will be taken. The object of the resolution is to continue the powers of the committee during the recess, if one should occur, and during the next session of the Senate. I know nothing about any arrangement concerning a recess.

Mr. HOAR. I of course have no desire to pry unduly into any parliamentary secrets, and I do not know that there are any anywhere to be pried into.

Mr. GEORGE. There are none so far as I am concerned. I know of none.

Mr. HOAR. But it would be very gratifying to a great many Senators on this side of the Chamber if, when the majority have determined what the condition and exigencies of the public business require, they would at the earliest moment make the information public, so that we could make our arrangements for the future. Whether there is to be a continuous session until the 1st of December or whether the Senate will probably adjourn as soon as the important bill passed yesterday has been dealt with elsewhere we should be very glad, indeed, if we could be informed. Probably the Senator from Maryland [Mr. GORMAN] can inform us.

Mr. GEORGE. I am unable to give any information on that subject.

Mr. BATE. As a member of the Committee on Agriculture and Forestry, I desire to say that the appropriation was made, the committee had their arrangements all made to go and make the investigation required of the committee, but were unable to do so simply because of the call for an extra session. Our arrangements were made to consummate the intention of the resolution in the month of August, but we were unable to do it, and now, perhaps, the opportunity will occur, and hence the resolution of the Senator from Mississippi should be passed.

Mr. GORMAN. I do not desire to interfere with the passage of the resolution.

Mr. GEORGE. I ask that the resolution be passed.

The resolution was agreed to.

Mr. GEORGE. I ask leave of the Senate that the subcommittee of the Committee on Agriculture and Forestry charged with the duty of investigating the question concerning cotton have leave of the Senate to sit during the sessions of the Senate and at the next session as well as the present.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Mississippi?

Mr. PEPPER. What is the request?

The VICE-PRESIDENT. That the subcommittee of the Committee on Agriculture and Forestry charged with an inquiry into the decline in the price of cotton have leave to sit during the sessions of the Senate at the present and also at the next session of Congress. The Chair hears no objection, and it is so ordered.

Mr. GORMAN. The Senator from Massachusetts asked me a question a moment ago, or rather referred to me in the matter of an adjournment. I wish to say to him frankly that, so far as I know, there has been no conference amongst Senators in the majority in regard to an adjournment, but I understand that the bill (H. R. 3687) to amend an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892, which has come over from the House of Representatives, should be disposed of. There are interests involved which may be very injuriously affected if the bill is not disposed of at the present session. Beyond that my belief is, and it is only the expression of an opinion, so far as I can gather, with the business for which we were called together dealt with and that measure disposed of, in all probability we shall adjourn or take a recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 35) transferring the exhibit of the Navy Department, known as the model battle ship Illinois, to the State of Illinois, as a naval armory for the use of the naval militia of the State of Illinois, on the termination of the World's Columbian Exposition.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1956) to require judges of the courts of the United

States to conform to the laws of the several States in delivering charges to juries;

A bill (H. R. 3981) to amend section 5391 of the Revised Statutes of the United States, relating to the punishment of certain minor offenses in reservations or places over which the United States has exclusive jurisdiction;

A bill (H. R. 4186) to regulate the fees of the clerk of the United States court for the Indian Territory;

A bill (H. R. 4243) granting the right of way for the construction of a railroad and other improvements over and on the West Mountain of the Hot Springs Reservation, Hot Springs, Ark.; and

A bill (H. R. 4292) to amend section 3709 of the Revised Statutes, relating to contracts for supplies in the Departments at Washington.

URGENT DEFICIENCY APPROPRIATIONS.

Mr. COCKRELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4177) "to provide for further urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1894, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5, and agree to the same. On amendment numbered 6 the committee of conference has been unable to agree.

F. M. COCKRELL,

A. P. GORMAN,

S. M. CULLOM,

Managers on the part of the Senate.

JOSEPH D. SAYERS,

L. F. LIVINGSTON,

J. G. CANNON,

Managers on the part of the House.

Mr. COCKRELL. Amendment numbered 6, upon which the committee of conference have been unable to agree, reads as follows:

To pay clerks to Senators and per diem clerks to committees retained in the service of the Senate during the recess of the Fifty-first Congress, under resolution of the Senate of September 30, 1890, \$22,088.

The Senate will remember that that resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, was reported favorably, and was passed; the liabilities were created; and the question is whether the Senate will insist upon this provision for the payment of these liabilities. I move that the conference report be concurred in.

The motion was agreed to.

Mr. COCKRELL. I move that the Senate further insist upon its amendment numbered 6, disagreed to by the House of Representatives.

The motion was agreed to.

COMMITTEE ON PACIFIC RAILROADS.

Mr. BRICE. I am instructed by the Committee on Pacific Railroads to ask for authority from the Senate for the committee as a committee, or through its subcommittees, to sit during the recess of Congress.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Ohio? The Chair hears none, and the request is granted.

MINING CLAIMS.

Mr. STEWART submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3545) to amend section numbered 2324 of the Revised Statutes of the United States, relating to mining claims, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: Strike out all after the word "shall," at the end of the first line, and insert in lieu thereof the words "not apply to the State of South Dakota."

And the Senate agree to the same.

WILLIAM M. STEWART,

R. F. PETTIGREW,

WILLIAM B. BATE,

Managers on the part of the Senate.

THOMAS A. E. WEADOCK,

J. V. COCKRELL,

Managers on the part of the House.

The report was concurred in.

DEPARTMENTAL SUPPLIES AT WASHINGTON.

The Vice-President laid before the Senate the bill (H. R. 4292) to amend section 3709 of the Revised Statutes relating to contracts for supplies in the Departments at Washington; which was read twice by its title.

Mr. COCKRELL. That bill was reported to the House of Representatives from the Joint Commission to Inquire into the Status of the Laws Organizing the Executive Departments, etc., and has been passed by the House. I desire now on the part of the Senate members of the Joint Commission to report favorably in behalf of the same bill. I submit the report, and ask that only the bill as passed by the House may be printed, that the Senate report be considered an indorsement and recommenda-

tion of the passage of that bill, and that the bill from the House of Representatives may be placed on the Calendar.

The VICE-PRESIDENT. Without objection that order will be made.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 1956) to require judges of the courts of the United States to conform to the laws of the several States in delivering charges to juries;

A bill (H. R. 3981) to amend section 5391 of the Revised Statutes of the United States relating to the punishment of certain minor offenses in reservations or places over which the United States has exclusive jurisdiction; and

A bill (H. R. 4186) to regulate the fees of the clerk of the United States court for the Indian Territory.

The bill (H. R. 4243) granting the right of way for the construction of a railroad and other improvements over and on the West Mountain of the Hot Springs Reservation, Hot Springs, Ark., was read twice by its title, and referred to the Committee on Public Lands.

NEW YORK AND NEW JERSEY BRIDGE.

Mr. HILL. If the morning business is concluded, I move that the Senate take up for consideration order of business No. 76, being the bill (H. R. 3289) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

Mr. MCPHERSON. I rise for the purpose of objecting to the motion made by the Senator from New York, as necessarily, if this bill shall come up now in the morning hour, under Rule VIII but five minutes will be allowed for debate by each Senator. I wish to ask the Senator, without being considered factious at all with respect to a vote upon this bill, that it may lie over until to-morrow, if no longer time be allowed. The Senator knows that we have been very busy here with other matters for some time past. I have given no attention to the report made by the committee. I notice, however, that the bill as reported is unlike the bills which have heretofore been reported on the same subject.

The people of my State are very much interested in having this question properly presented to the Senate, and I have been unable, as I have said to the Senator, to give the subject the attention which I desire to do before its consideration. I should prefer that the Senator would allow the bill to go over until the December session, but if he objects to that I hope he will consent to its going over at least until to-morrow morning, so that I may have a sufficient amount of time to lay my views in regard to the bill before the Senate. I think also that the people of a good many other States besides those of New York and New Jersey feel interested in this matter.

Mr. HILL. Mr. President, in regard to the first point made by the Senator from New Jersey I have only to say that it is not well taken. I shall move the consideration of the bill, and if the Senate shall see fit by a vote to take it up, debate upon it will not be limited to five minutes, but it will be subject to unlimited debate, an expression with which we have become somewhat familiar in the Senate. The five-minute rule will not apply where the Senate by a vote sees fit to take up a bill. Therefore there is nothing in that point. If the bill is taken up, the Senate proceeds with its consideration the same as upon any other bill taken up by vote.

I should be very glad to oblige the Senator from New Jersey, but, nevertheless, I am led to the opinion that the Senator is entirely familiar with this question, and has kept track of the progress of this bill in the committee and elsewhere. It can not have escaped his attention that the bill passed the House of Representatives almost unanimously, there being, I think, but one vote against it.

I desire to state for the information of the Senate that the bill has been before the Senate Committee on Commerce, and received their most patient and careful consideration, and the unanimous report of that committee. I can not imagine what objection there can be to the bill. It is not a complicated bill, and there are no complicated questions arising out of it.

The motion to take up the bill, I am aware, is not debatable, and I shall not impose further on the Senate. I hope the motion will carry.

The VICE-PRESIDENT. The question is on the motion of the Senator from New York to take up the bill indicated by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3289) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, in the second clause, line 16, after the word "may," to strike out "lay upon or," and insert "locate, construct, and maintain;" in line 17, after the word "bridge," to insert "and the approaches thereto;" and in line 18, after the word "railroads," to strike out "and locate, construct, and maintain such connections as are necessary and proper with railroads at the ends of said bridge, or approaches thereto;" so as to read:

Second. That the companies may locate, construct and maintain over such bridge and the approaches thereto railroad tracks for the use of railroads.

The amendment was agreed to.

The next amendment was, in the same clause, line 22, after the word "connect," to strike out "their" and insert "its;" in line 23, before the words "its approaches," to strike out "tracks" and insert "and;" in the same line, after the word "approaches," to strike out "and connections;" in line 24, before the words "rolling stock" to strike out "their" and insert "its," and in line 27, after the words "decided by the," to strike out "Interstate Commerce Commissioners of the United States, under such rules and regulations as they may prescribe" and insert "Secretary of War;" so as to read:

Provided, That any railroad on either side of said river shall be permitted to connect its tracks with said bridge and its approaches, and shall have equal rights of transit for its rolling stock, cars, passengers, and freight upon equal and equitable terms, and if a dispute as to the equality or equity of the terms shall arise, it shall be submitted to and decided by the Secretary of War.

The amendment was agreed to.

The next amendment was, in the same clause, line 32, after the words "city of New York," to strike out:

And provided further, That no railroad or railroads shall be operated on the approaches of said bridge companies in the city of New York except on such approaches as have been located in said city with the approval of the commissioners of the sinking fund of said city of New York: And provided further, That nothing in this act shall authorize the laying down of any railroad tracks upon the approaches in the city of New York except such as may be approved by the commissioners of the sinking fund of the city of New York.

The amendment was agreed to.

The next amendment was, in clause 8, line 97, after the word "reserved," to strike out:

And nothing herein shall be construed as a repeal or interference with any right to build a bridge across the Hudson River heretofore granted by Congress to any company, or bind this or any other Congress not to extend or renew the same;

And insert:

And the provisions of subdivision 3 of this act shall be extended to any other bridge company, heretofore authorized by Congress to bridge said river at New York City: Provided, That such company shall submit plans and location of its bridge, pursuant thereto, to the Secretary of War within one year after the passage of this act.

So as to make the clause read:

Eighth. The right to amend, alter, modify, or repeal this act is hereby reserved, and the provisions of subdivision 3 of this act shall be extended to any other bridge company, heretofore authorized by Congress to bridge said river at New York City: Provided, That such company shall submit plans, and location of its bridge, pursuant thereto, to the Secretary of War within one year after the passage of this act.

The amendment was agreed to.

Mr. MCPHERSON. I have one or two amendments to offer to the bill, now that the committee amendments have been agreed to; although I suppose, the Committee on Commerce of this body having decided to surrender to the persistence of this bridge company, that it is hardly worth while for me to try to prevent the absolute destruction of that great harbor surrounding the city of New York. The determination seems to be to cripple it at least. I wish, in the first place, to offer an amendment, which I send to the desk, to come in on line 32 of the bill.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In clause second, line 42, after "New York," it is proposed to insert:

And in the State of New Jersey by the board of chosen freeholders of the county of Hudson.

Mr. VEST. Now let the text be read as it will stand if amended.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

Provided, That the location of all approaches of said bridge in the city of New York shall be approved by the commissioners of the sinking fund of the city of New York, and in the State of New Jersey by the board of chosen freeholders of the county of Hudson.

Mr. MCPHERSON. The object of the amendment is simply this: Provision is made in the bill that the approaches to the bridge in the city of New York shall be approved by the commissioners of the sinking fund of the city of New York, and no provision whatever is made to have any supervisory power on the approaches to the bridge on the New Jersey side of the river. The bridge will necessarily pass through the township of Union, the city of Hoboken, and Jersey City. It may go upon the level of the streets or it will have under this bill the authority

of Congress to take a roving commission and go where it pleases, without any restriction whatever by the local authorities. That is a very unwise and improper neglect. The idea of passing through two great cities and through two townships on the Jersey side of the river without the company being restricted by the approval of the municipal authorities is something which should not be permitted. This privilege is guarded as to the city of New York, but it is left unguarded as to the State of New Jersey.

I propose to provide by my amendment that the board of chosen freeholders of the county of Hudson shall exercise this supervision, because they are the county board and represent what is known in many of the States as the board of supervisors. The subject can hardly be left to the municipal authorities of two or three cities and the townships, and therefore by my amendment I propose to place the power in the hands of the county authorities, covering, as the authority granted by the bill will do, a large amount of territory, and running, as it will, 2 or 3 miles, according to their maps and plans, on the Jersey side. I trust there will be no objection to the amendment.

Mr. DOLPH. The Senator from New Jersey will perceive that by the report of the committee on this bill the provision which was contained in the bill as it came to the Senate apparently conferring upon the bridge corporation additional power to construct railroads has been stricken out, and also the provision for the location of the connections. All that the term "approaches" means, I apprehend, as used in the bill are the ordinary approaches to the structure; and I suppose that the municipal authorities of Jersey City, or the other municipal authorities on the Jersey shore, would have ample power to make any regulations necessary in regard to the approaches to the proposed bridge.

I do not understand that Congress is conferring upon the bridge company the right to proceed to condemn or otherwise occupy private property; but they must proceed to get the right to construct their approaches the same as if nothing had been said in the bill about approaches. If the Senator from New Jersey is not willing to leave the question of location to the city authorities, where I suppose the control of such improvements is left, we may, I suppose, substitute some other body; but I apprehend, as a rule, it would be better to leave such questions with the body which represents the municipality, and which can not only approve of a location but can provide the conditions upon which approaches may be erected.

There has been a controversy in the city of New York in regard to who should exercise the authority relative to the construction of the approaches to the bridge there, and especially the question of connections, which was stricken out. I understand the city authorities have preferred, instead of leaving it to the city council, that it should be left to the board which is mentioned in the bill.

The term "approaches to the bridge" simply means that portion of the bridge which extends on to the land, which it is necessary to go upon in order to get the proper elevation over the water. If the Senator from New Jersey thinks there is anything to be gained by requiring some other board in the county to approve of that location I do not know that there will be any objection, but I do not think that approval would be final. I think the bridge company would still be required to get the permission of the city authorities as to the conditions upon which they may occupy the land.

Mr. MCPHERSON. That may be necessary under some general law of New Jersey; but as the approaches necessarily are very long upon the Jersey side of the river, they strike an elevation upon that side and pass on down to the meadows below, where they connect with the different railroad systems, and they necessarily will have to pass through the town of Union, which has a municipal government, through West Hoboken, which has a municipal government; perhaps through some part of the city of Hoboken, which has a mayor and board of aldermen, and that portion of the territory of Jersey City, which would require the consent of four municipal governments. I prefer to leave the question with a power equally responsible, which is the board of chosen freeholders of the county of Hudson, which can represent the city authorities in county matters.

Mr. DOLPH. I wish to suggest to the Senator that, according to my best judgment, by the adoption of his amendment we should only be putting upon the bridge company the necessity of securing an additional approval of the location. I do not believe that Congress has the power to take the matter out of the hands of the several municipal corporations, nor do I think the approval provided for by the Senator's amendment would prevent the necessity of getting permission from the several municipalities to the location, and having it prescribed by ordinance or by some other proper provision as to the conditions upon which the company might occupy streets.

Mr. MCPHERSON. In the absence of any law, I do not understand how the company would be required to obtain the consent of the city authorities. I see that provision is made in the bill that, notwithstanding there is a municipal government in the city of New York, the approval does not rest with the mayor and the board of aldermen of that city, but a representative board is named, a board appointed by the mayor of the city of New York, to wit, the board of sinking-fund commissioners.

Mr. DOLPH. Does the bill provide that that matter shall not be left to the city authorities?

Mr. MCPHERSON. The bill provides that the location of the approaches in the city of New York shall be approved by the commissioners of the sinking fund; and therefore I suppose, under the wording of this bill, as I presume it will be passed, that is all the authority they need. If the Congress of the United States provides not only for the building of the bridge, but the approaches, it should also designate the particular board which shall approve the location so far as the city is concerned.

I can see no reason why the amendment I have offered should not be agreed to. It leaves the question to a proper and appropriate board, one entirely competent to deal with the subject, and a board which will have the entire confidence not only of the people of the city but of the surrounding country in the State of New Jersey.

Mr. DOLPH. That only goes to the question of location. The Senator does not propose that this company may go on and at its option determine the character or extent of the approaches, or what the elevation shall be, or the kind of structure which shall be had, and how it shall interfere with private property.

Mr. MCPHERSON. The location of the approaches in the city of New York shall be approved by the commissioners of the sinking fund. My amendment states that the location and approaches of the bridge from the State of New Jersey shall be approved by the board of chosen freeholders of the county of Hudson.

Mr. HILL. I see no necessity or propriety in this amendment. If I understand the situation correctly, the approaches of the proposed bridge do not enter Jersey City at all. They are on the west side of Jersey City entirely, I understand.

Mr. MCPHERSON. No; it runs for 3 miles through Jersey City, as the map indicates.

Mr. HILL. Not the bridge proper or the approaches proper.

Mr. MCPHERSON (indicating on plan). Here is the point where it crosses the river. It runs down here in a straight line and passes through Jersey City on the west side of the hill near the Hackensack River.

Mr. HILL. But all the provision for connections with the bridge have been stricken out. The committee saw fit not to make any provision in reference to connections. That will have to be done by the local legislatures of the two States, and necessarily by the local authorities.

The bridge company is incorporated by virtue of the charter of the Legislature of the State of New York and also by virtue of an act of the Legislature of the State of New Jersey. The Legislature of the State of New Jersey gave its consent for the construction of this bridge in the following language:

That the said company shall have the power to erect, construct, and maintain a permanent bridge over the Hudson River, and construct and operate a railroad over the same between some suitable point in the city of New York and a point north of the southerly line of the township of Union, in the county of Hudson, in this State, and to lease, purchase, acquire, and hold as much real estate as may be necessary.

The Legislature of New Jersey, presumably as careful of the rights of the people of that locality as the Senator from New Jersey can possibly be, did not think it necessary to restrict this bridge company as to the particular spot beyond the designation made in the bill where the approaches should be constructed.

I hold in my hand a copy of the charter of the North River Bridge Company, which I understand the Senator from New Jersey championed in the Senate; and in that very bill, passed here several years ago, there is no limitation whatever as to the particular point between certain points where the bridge company may locate the bridge. Certain points are designated, but beyond that the particular location or the particular roads are not specified. That was a bill the Senator himself championed in this body, I am informed, and I think he will acknowledge the fact. I can see no reason why this bill should be more specific than was the bill for what is called the North River Bridge Company.

Mr. President, there was no real necessity for the incorporation of this provision about the city of New York, which I will read:

Provided, That the location of all approaches of said bridge in the city of New York shall be approved by the commissioners of the sinking fund of the city of New York.

The city authorities insisted upon having some such provision, and rather than antagonize the local authorities of the city it was deemed best by the friends having the bill in charge and by

the committee to allow the provision to be made. I do not think any member of the committee thought there was any necessity for it.

Bear in mind, the construction of this bridge is to a certain extent limited and restricted by the bill. It can not be below Sixty-sixth street in the city of New York; it must be above; and as to the particular point on the side of the city of New York, of course the authorities of the city are at liberty to designate where that shall be. I do not understand that the local authorities of Jersey City or the local authorities of the townships to which the Senator refers have asked for any such limitation or restriction. No petition has been presented here asking for this amendment, and no amendment has ever heretofore been suggested such as the Senator presents. I can see no propriety in the amendment, and I do not think there is any.

Mr. MCPHERSON. The Senator from New York speaks of the North River Bridge Company, which he said I championed on the floor of the Senate. I do not know that I championed that bridge charter specially. I was in favor of it; I voted for it, as I am in favor of building bridges across the Hudson River provided they are built without placing any piers in the channel of the river and thereby obstructing navigation.

The New Jersey charter of which the Senator speaks was passed in 1868, at a time when in that part of the country through which this bridge and its approaches are now to be placed and located there was not a single building. It was a goat pasture. There was scarcely a street opened. No public attention was called to it.

Mr. HILL. On the Jersey side?

Mr. MCPHERSON. Yes. To-day it is covered with immense blocks of buildings; streets are opened, and there is no reason in the world why this company may not locate it, in order to suit their special convenience, right through blocks of buildings, taking possession of streets and destroying boulevards and avenues which are now being built through that city. Therefore, in order that there may be no conflict of authority whatever, I claim that there should be some authority to supervise the bridge company to the extent that the approaches shall be laid in a manner least inconvenient and least troublesome and offensive and injurious to the people. On the New York side the bill makes such a provision. For the New Jersey side you make no provision.

Now, the Senator says that these municipalities have not petitioned. I do not know that any petitions have been offered here respecting it, but I want to say another thing. The people of New Jersey have never believed that it was possible for the Senate of the United States to pass such a bridge bill as is now before this body, which proposes to locate upon the Jersey side of the river, 1,000 feet from the Jersey shore and near the center of that river, great large piers that will require for their foundation a territory almost equal to an island. That is exactly what you propose to do, and the people of New Jersey have left out the idea that there was such a want of intelligence and proper regard for commerce in the Congress of the United States as would ever permit it to be done.

Mr. VEST. Mr. President—

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Does the Senator from New Jersey yield to the Senator from Missouri?

Mr. MCPHERSON. Yes.

Mr. VEST. The question of intelligence is an open one, and the Senator subjects himself to some suspicion when he makes the statement he has done in regard to the committee. I want him to point out a provision in the bill that locates these piers in the river.

Mr. MCPHERSON. Near the middle of the river—

Mr. VEST. I want him to point out the provision.

Mr. MCPHERSON. I said near the middle of the river.

Mr. VEST. I want to see the provision that puts it near the middle of the river, or in the river at all.

Mr. MCPHERSON. It does it, impliedly if not expressly. As the Senator knows, the third section of the bill provides that—

no pier shall be built on the New York side of said river outside of the existing pier-head line, and on the New Jersey side only at such a point as will make a clear water way of not less than 2,000 feet from the pier located on the New York side.

Now, we are told that the distance across the river at this point is about 3,100 feet. Then, 2,000 feet from the pier-head line on the New York side will leave a pier on the New Jersey side 1,100 feet from the pier-head line there. There is the authority that you grant in this bill to locate a pier on the New Jersey side of the river 1,100 feet in the channel from the Jersey shore, and from the pier-head line in the great harbor of New York, which is to-day doing a great share of the commerce of the whole of the United States of America.

Mr. VEST. The Senator, unintentionally doubtless, overlooks a provision on the third page of the bill, which is to the effect

that the construction of the bridge shall not be commenced until all the plans are approved by the Secretary of War. If the Secretary of War comes to the conclusion that putting a pier at any point in the river is an obstruction to navigation he can prevent it. The only provision we make in regard to the piers is that the span shall be in any event not less than 2,000 feet, but if the Secretary of War requires a span of 3,000 feet he has the right to do it. I assert there is no such provision in the bill as the Senator from New Jersey has stated.

Mr. MCPHERSON. Well, I read from the bill.

Mr. VEST. Yes, but you leave out the discretionary clause which gives to the Secretary of War the right to approve or disapprove of any plans for the bridge.

Mr. MCPHERSON. Ah, yes; but I am told then, in the very next breath, that application had been made at the War Department, and that a report had been received by the Board of Engineers indorsing and approving this bill. Now, I want to know, if they have been to the War Department and got a bill approved in advance by the Secretary of War and by the Board of Engineers, what kind of a power do you leave in the face of such a report in the hands of the Secretary of War to undertake to move the pier out of the river?

Mr. VEST. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield?

Mr. MCPHERSON. Yes, I yield.

Mr. VEST. The Senator from New Jersey this morning indulging in a latitude of expression that is unusual for him and for the Senate. Permit me to say to him that he is entirely mistaken, to use no stronger term, in stating that the Secretary of War has approved the plan of this bridge. On the other hand, Gen. Casey, the Chief of Engineers, came before our committee and remained there during the whole time this bill was under discussion, and gave the committee to understand that he would consider carefully the plan and see that no obstruction to navigation should be put in the river. I should like to know the authority upon which the Senator makes the statement that the Secretary of War in advance has approved of the pending bill.

Mr. MCPHERSON. I will tell the Senator the authority upon which I make it. When I was handed a copy of the engineer's report I visited the Secretary of War and I asked him to explain how it was that I could be informed by outside parties that the War Department had approved a bill pending here which asked the power, and the other House had granted the power in the bill then before the committee of the Senate, which permitted a pier to be built within 1,100 feet of the Jersey shore and near the middle, certainly one-third of the distance across the river, the pier being large enough to obstruct the ice and obstruct commerce and everything else. He handed me a copy of the bill. I then asked the Secretary of War, "As an officer of this Government, with that bill before you, how much authority have you got to act in the premises?" "Well," he said, "I suppose I might require that the span should be larger."

Mr. VEST. Did he say that he had approved already the report?

Mr. MCPHERSON. The report is signed by the Secretary of War, transmitting the report of the board of engineers to Congress without criticism.

Mr. VEST. I understood the Senator to say that the Secretary of War in advance had approved this plan.

Mr. MCPHERSON. I said the board of engineers to whom he referred it, and the report was sent by the Secretary of War to Congress in reply to an inquiry.

Mr. VEST. Oh, the board of engineers. There is a report by the board of engineers which has not been adopted, and we therefore put specifically in the bill a provision that Gen. Casey, the Chief of Engineers, shall approve of the plan before any portion of the construction of the bridge shall be begun. Now, the Senator says the Secretary of War has approved of it in advance, and he goes on to state that the Secretary of War told him, on the other hand, that he would have a right to demand under the provision, as he understood the proposed legislation, a longer span than that named in the bill.

Mr. MCPHERSON. Then you are told again by the bridge company that inasmuch as they want to build an inexpensive bridge, they want to build a cantilever bridge, and they can not build it with more than 2,000 feet span. It seems as though a kind of report had been received here from the Engineer Department, contrary, I understand, to every recommendation heretofore made by Gen. Casey, the Chief of Engineers, that no pier should ever be allowed in that river. Now, then, the effect of it is this: It simply enables this company to build a cheap, economical bridge at the expense of the commerce of that great port. In my opinion, if the people of New York and New Jersey were consulted to-day upon this question they would prefer to pay one-half the entire expense of the construction of this bridge,

and they could afford to do it, rather than have piers put in the river.

Mr. GRAY. If the Senator will allow me, I certainly hope that the bill is sufficiently protected by those provisions which require the Secretary of War to carefully consider what obstruction may be presented by the construction of the bridge to the commerce of the country; but I wish to call attention to one feature that presents to my mind a special danger in the construction of all bridges over tidewater streams as distinguished from streams that are not tidewater. It is not the obstruction a pier presents to the commerce of the country by preventing or interfering or making troublesome the going to and fro of craft, but every pier large or small placed in the tideway of a stream presents a measurable obstacle to the flow of the tide up that stream.

Just so much less water flows up as is represented by the cubic contents of that pier or obstruction, and of course there is just so much less to come down. Now a tideway stream like the Hudson might by obstructions, by the building out of wharves on both sides, be brought to a mere *filum aquæ*, to a mere thread of water that would be perfectly useless for the purposes of navigation. In fact a tideway stream may be blocked off entirely by a dam, and the water will rise on the face of the dam and will not flow up at all, thereby differing from such streams as the Mississippi where the current of the water collected from all its affluents and its watershed must flow down and make a channel for itself.

The water that flows down the Hudson and other tideway streams is the water that goes up, and you measurably prevent water from going up by every obstruction you place in the tideway. So I hope the bill will be guarded by an authority to the Secretary of War sufficient to compel his attention to the exercise of the power of the General Government to protect the navigability of the great streams of our country.

Mr. RANSOM. Will my friend from New Jersey yield to me?

Mr. MCPHERSON. Oh, yes.

Mr. RANSOM. I do not wish to interrupt the Senator's remarks but it is right that I should say the Committee on Commerce in considering this bill felt called upon to invite Gen. Casey, the Chief of United States Engineers, before it. He was before us for a long time in consultation upon the bill and the provisions in the bill were drawn when he was present, with the distinct statement by him that its provisions would furnish every protection to commerce and to the people on the borders of the river that could be afforded. The bill was constructed with that view after full consultation with him.

Mr. MCPHERSON. Then the Senator from North Carolina says that Gen. Casey has already assented to it in the presence of the committee. This is too much; it fairly staggers belief, considering Gen. Casey's record upon this subject.

Mr. RANSOM. Gen. Casey has approved of this proposition. He has said as an engineer, so far as an engineer could say so, that the bill would furnish all the protection to commerce that it could have, and that the final clause of the bill, stating that all of the bridge construction must be left to the discretion of the Secretary of War, is the very best proposition that could be put in to accomplish the object the Senator from New Jersey has in view. If my friend will pardon me one moment (I know how I am imposing on his patience), I will state that the bill provides that there must be a water way of not less than 2,000 feet, but the pier may be located as much further as the Secretary of War, under the advice of the engineers, shall determine to be necessary.

Mr. MCPHERSON. The Maritime Association of the city of New York, that I suppose represents the great commercial interests of that port quite as accurately as does the Senator from New York, are here with a protest. The Maritime Association of the port of New York are supposed by the people of the city of New York, the port of New York, and the State of New York to look after any encroachment upon the commerce of that great port, and it is presumed that they are doing so. They are here with a protest against the passage of this proposed act.

I will state the reasons urged by the Maritime Association why this pier should not be put in the river; and I want to call the attention of the Senator from New York to a single fact connected with the legislation of his own State. In 1890 this company asked the Legislature of New York for the privilege of building a bridge to connect with the Jersey bridge. The State Legislature of New York absolutely denied to them the right to put a pier in the river either upon the New York or the New Jersey side. They said it should be a single span across the entire river. I read the language of the act:

"The said bridge shall be constructed with a single span over the entire river."

But this company purchased an old charter in New Jersey passed in 1868. They then went to the Legislature of the State of New York, and the Legislature denied to the company the

right to put a pier in the river anywhere, and denied to them the right even to lay a railroad track over their bridge. Now, they come to Congress, and ask the Senate of the United States to assist them in destroying this great waterway for no reason on earth except that it will save them a certain sum of money in the construction of the bridge.

The North River Bridge Company of which the Senator spoke has a charter passed by Congress three or four years ago. It proposes to span the entire river, 3,000 feet, with a suspension bridge. It has been ready to go on with its work, the money was in sight to build it, at least very largely, until an application came to Congress for a rival bridge. Capital said, "There is not a sufficient amount of business to warrant the building of two bridges across the Hudson River, and until you decide to build but a single bridge we will not furnish the capital to proceed with it." The engineers in charge of that work say that there are no reasons in the world why they shall not span the entire river with a suspension bridge. Why not then amend the pending bridge bill so as to enable this company to span the entire river with a suspension or any other bridge of that kind that they see fit to make?

I have no objection to the passage of the bill. The gentlemen who are interested in this bridge are my friends. The gentlemen interested in the other bridge are my friends. I am as anxious to assist my friends in all their business enterprises, where they are consistent with the public interest, as any man possibly can be, and I make no distinction between the two bridges. I favor this bridge as much as I favored the other, and with like restrictions as to piers, I will vote for it quite as freely; but I would resign my place in the Senate before I would vote for a bill that would tend to put an obstruction in that great waterway, the Hudson River at New York, in the manner that this bill proposes to do.

The Senator from Delaware has stated here a case where water was passing up by the action of the tide. Let me apply it to this particular location. It is proposed here not only to give permission to this company, remember, to put a pier in the river, but it is proposed to permit the other company also to put a pier in the river. What would be the effect of it? Let me say to the Senator from Delaware I have seen the ice blocked up in the Hudson River for miles above Jersey City. If these piers are put in the river it will absolutely block out the tidal current, especially when there is ice in the river, for when the tide comes in it blocks the ice which comes down the Hudson River. These piers would make a lodgment for it, and it would be impossible for the ice to be dislodged from these structures placed in the river; and therefore only one-half of the tidal current necessary to scour out the great water way for ships at Sandy Hook would come into the river.

The Board of Engineers of the War Department have required even in building the piers on the New York and the New Jersey side that the largest amount of area should be left to the storing of the tidal currents that come in from the ocean, in order that when the tidal currents pass out they shall scour the channel through which the great vessels are obliged to go. I ask the Senate to consider the great steamship lines with a steamship 600 feet long of 8,000 tons displacement, going to and from Liverpool and Southampton and Havre and all European ports, carrying only about one-half a cargo, because of the fact that the water is too shoal at the entrance to let the ship go out with a full cargo, and they are obliged to sail with half a load of freight.

Mr. GEORGE. Where is that?

Mr. MCPHERSON. I am speaking of the channel down at Sandy Hook, where the water is shoal and where the sand washes down from above and fills up the channel.

Mr. President, these ships, as I said, can get neither in or out except at a very high tide, and then with only half a load. Now it is proposed to shut out a part of the tide in order that you may limit it still more, and to that extent increase the transportation cost of the products that we send abroad. And now I want to say something as to what the Maritime Association of New York have to say about that matter.

Mr. GEORGE. Does the Senator mean to say that it would increase the price of cotton and wheat sent abroad?

Mr. MCPHERSON. I say it would increase the freight charges.

Mr. GEORGE. I thought the Senator said it would increase the price.

Mr. MCPHERSON. If I did not say it I say it now, and emphasize it now; it necessarily increases the cost of transportation when only half a cargo is possible.

Mr. GEORGE. I thought the Senator said it would increase the price of those products?

Mr. MCPHERSON. If I made such a statement it was a mistake, and I beg the Senator's pardon. I have now corrected it.

The Maritime Association, speaking of the act passed by the New York Legislature, say:

It was not until 1890 that an act was passed at Albany incorporating the New York and New Jersey Bridge Company, and then it stipulated that: "the said bridge shall be constructed with a single span over the entire river." No piers were to be permitted outside the established pier-head lines on either side. This condition was deemed essential to the interests of New York. The State had connected the Hudson River with the great West by means of the Erie Canal, and would not allow that magnificent water way, upon which commercial New York depends, to be obstructed at its very outlet. But since then the company has repeatedly sought to obtain authority from Congress to build a bridge with piers. In 1890 their bill was adversely reported both in Senate and House. At every session since it has been offered, only to meet adverse action in Senate committee, and fall of passage. Now it again appears, and it again should suffer defeat. Its promoters seek to violate the distinct prohibition of piers in the North River as conditioned in the New York charter, as well as the rights of all the navigation interests of this port and its northern and western connections.

We should not be understood as opposing North River bridges. On the contrary, we favor them. They are a necessity, but it is equally a necessity that they be only with a single span across the river.

It says:

This bill is worded so as to conceal its true intent. Its stipulation is that: "No pier shall be built on the New York side of said river outside of the existing pier-head line, and on the New Jersey side only at such a point as will make a clear water way of not less than 2,000 feet from the pier located on the New York side." This places the pier dangerously near the middle of the river. A proviso follows: "That nothing herein contained shall be construed as taking away from the Secretary of War the right to require a greater width of span than 2,000 feet," but as Secretary Lamont has informally approved the plans, the enactment of the measure would fix the pier near the middle of the river, contrary to the stipulation of the New York Legislature and against the interests of the port.

Mr. HILL. If the Senator will allow me, let me ask how does this voluntary Maritime Association in New York know about what the Secretary of War has formally approved or informally approved? It is a mere assertion.

Mr. MCPHERSON. They speak of a public document which was handed to me first in the Senate Chamber and is floating about the Capitol and afterwards in the War Department by the Secretary of War himself. There were no secrets about it. It was signed by an engineer named Adams, I think, and it was forwarded here by the Secretary of War himself. I presume the Maritime Association would find no difficulty in getting possession of such a document, as it was public property.

The report of the House Committee on Commerce upon the bill shows that the consequence of its passage are not realized. It says: "It is fair to say that the New Jersey side of the river does not embrace the main channel, and by the recent order of the Treasury is set apart for an anchorage ground for vessels, thus taking it out of the navigable part of the river, so that any pier which might be constructed or allowed to be constructed by the Secretary of War would not interfere with the navigation of the river."

That is unwittingly—

Says the Maritime Association—

a strong argument against the bill. Its introduction shows the unpractical character of the report, and displays lack of information as to the needs of shipping. For the very reason that the pier is proposed to be placed in the anchorage grounds, the pier renders a considerable portion of the anchorage grounds useless.

No large vessels could safely drop their anchor nearer than 1,200 feet of it. It therefore becomes as effective an obstruction for anchorages as if it were more than a semicircle of 2,400 feet in diameter.

Equally untenable is the assertion that the main channel is on the New York side. On the contrary, the pier is placed in the channel, with ample depth of water on the west side as well as on the east, for the largest ships that float.

The committee also expresses the opinion—

And here is a matter to which I want to call the attention of the Senate especially—

The committee also expresses the opinion that without such a pier it would be impossible to construct the bridge; or that its cost would be so enormous as to make it a financial impossibility. Therein they differ from engineers and capitalists who propose the other North River bridge without a pier, with a single span, both longer and with greater capacity than this.

Now, then, here comes the special point that the Maritime Association makes as against this bridge:

Again they say "snow and ice in the winter and fogs at other seasons of the year, frequently render the crossing of the river almost impossible and very unsafe."

This assertion is so true that it constitutes one of the chief objections to the bill. A stone pier is proposed to be placed in one of the chief highways of commerce. Not merely ferry boats, but craft of all kinds are constantly passing, tows, lighters, passenger steamers, elevators, rafts. The pier, according to the plan, is to occupy a square of 200 feet. In fogs it will be a constant source of peril to life and property afloat. In winter it will obstruct the passage of ice. Experience shows that ice accumulates around piers, and the result would be the frequent closing of the river to navigation.

Again, who can doubt that if the proposed pier were a natural rock in the middle of the North River, like Diamond Reef off the battery, or Pot Rock in Hell Gate, to remove which millions have been spent, neither Congress nor the State nor the city would rest until it were effectually destroyed so as to render the navigation of the channel perfectly safe and clear. We have one of the finest streams in the world, with a commerce that has made New York the Empire City and the Empire State; but this bill proposes to erect almost at its mouth a tower that would be a monument to the folly of the people permitting it.

Another case in point are the Smith and Windmill Islands in Philadelphia Harbor, that are to-day being removed from the channel at a cost of millions of dollars.

Now, Mr. President, the water where they propose to locate these piers is very deep on the Jersey side, and I have somewhere seen it stated that in building the bridge across the Firth of Forth in Scotland the size of the pier was 430 feet in one direction and 280 feet in the other. So you can follow it. Further, in a criticism in the Engineering News, a competent authority which I believe nobody questions, it is stated that it would require quite as large a foundation here as it does at the Firth of Forth, because that was a solid rock with nearly perpendicular sides, and it would require as much space here to be occupied by a pier in the body of the river. Therefore you can form some kind of an idea as to how much of an obstruction it is to become.

Mr. GEORGE. Will the Senator inform the Senate what class of persons compose the Maritime Association of New York? Does he know?

Mr. MCPHERSON. The Maritime Association of New York is composed of shipowners, people who manage ships, all of the commerce transportation interests of the port and harbor of New York, together with the foreign commerce and the domestic commerce up and down the coast. I do not suppose you could find in any country in the world a more respectable body of men in point of character and ability than the Maritime Association of New York. With respect to transportation it is exactly like the board of trade or the chamber of commerce with respect to objects which make commerce. One represents the commerce itself, that is, the transportation itself, the other represents the products which make commerce. There is no doubt, I will say to the Senator, as to the character and qualifications of these gentlemen.

Mr. GEORGE. They are supposed to know all about it?

Mr. MCPHERSON. Surely. Let it be remembered by the Senator [Mr. HILL] that the State of New York itself, in its Legislature, denied to this company the right to put a pier in that river, and if the application were made to-day it would be denied. Remember the legislation in New Jersey was made in 1868, even before the Brooklyn Bridge was built, and it was not supposed at that time that a bridge could be built with a very long span; but Roebing demonstrated that between New York and Brooklyn, and he has built a bridge there with a 1,600-foot span, and I think Roebing to-day will tell you that he can build a bridge with a span of 3,000 feet as readily as one of 1,600 feet.

Mr. GEORGE. Does the Senator wish to be understood as saying that the Legislature of New York denied to this bridge company the right to put a pier in the Hudson River?

Mr. MCPHERSON. Most assuredly, and more than that this company relies upon its charter obtained from New Jersey, simply because that old charter permitted piers to be built 1,000 feet apart in the river; and as it could not be more than half the river in any event, here come the gentlemen whom my friend from New York is representing here as the incorporators of this company, and when they come to ask their own Legislature for a bill permitting them to bridge the river with piers, the Legislature not only said, you shall not put piers upon the New York side of the river, but you shall not put them upon the New Jersey side of the river; there shall be a span over the entire river.

Mr. WHITE of California. Has the Senator a copy of that act?

Mr. MCPHERSON. I have it here. I will read it.

Mr. WHITE of California. I do not wish to disturb the line of the Senator's argument.

Mr. MCPHERSON. I have a copy of it.

Mr. GEORGE. This is a very important matter and it is a very instructive debate. I suggest the want of a quorum. The Senate ought to be here to hear it.

The PRESIDING OFFICER. The Senator from Mississippi suggests the want of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Frye,	Martin,	Sherman,
Bate,	Gallinger,	Mills,	Shoup,
Berry,	George,	Mitchell, Wis.	Stewart,
Blackburn,	Gibson,	Palmer,	Stockbridge,
Brice,	Gorman,	Peffer,	Teller,
Caffery,	Hale,	Perkins,	Turpie,
Cameron,	Harris,	Pettigrew,	Vest,
Cockrell,	Hawley,	Power,	Vilas,
Coke,	Hill,	Pugh,	Voorhees,
Daniel,	Kyle,	Quay,	Walthall,
Dubois,	Lindsay,	Ransom,	White, Cal.
Faulkner,	McPherson,	Roach,	White, La.

The PRESIDING OFFICER. Forty-eight Senators having answered to their names, a quorum of the Senate is present. The Senator from New Jersey will proceed.

Mr. MCPHERSON. In order that I may be exactly correct, let me read from a letter received this morning from one of the members of the maritime association:

The New York charter, given on pages 9 to 14, contains in paragraph 24

the distinct provision for a single span over the entire river and prohibits piers in the river within the established pier-head lines.

This provision was inserted at the behest of the navigation interests, who opposed the bridge bill in Albany at that time, and who withdrew their opposition after paragraph 24 was changed to meet their views.

It was to span the river.

Now, it appears that that company intended it merely as a blind, and the claim is made now that the State of New York has no right to legislate beyond its boundary, and that paragraph 4 is void. But nevertheless it ought to be regarded as a distinct declaration of the policy of the State of New York to leave the North River at New York City unobstructed by bridge piers; and it is quite certain that if the State of New Jersey could legislate on this matter now (which it can not under the constitution adopted in 1876, prohibiting special legislation), it would also prohibit piers in the river.

Mr. HILL. Does the Senator mean to tell the Senate that the constitution of New Jersey by the prohibition of special legislation prohibits an amendment of the charter?

Mr. MCPHERSON. I have not stated it. I am only reading what the gentleman says.

Mr. HILL. I understood the Senator to say they could not amend their previous charter in a particular way. I say the prohibition of special legislation does not prevent the Legislature of New Jersey from amending a previous special act.

Mr. MCPHERSON. I am only reading a gentleman's letter, who seemingly does not understand the power of the New Jersey Legislature as well as the Senator and myself. They certainly would have the power to amend the act.

Mr. VEST. May I interrupt the Senator from New Jersey?

Mr. MCPHERSON. Certainly.

Mr. VEST. The Senator certainly knows what his Legislature has done in the past. I ask him if that charter has not been amended three times within twenty years by the Legislature of New Jersey, and the amendment approved by the attorney-general of the State and the governor of the State?

Mr. MCPHERSON. I prefer not to speak on that subject at all. I know nothing about it. I understand it to have been revived only, and yet the Senator may be correct in saying that new powers were given in subsequent acts.

Mr. GEORGE. The Senator made a statement a little while ago which I did not exactly catch about the probable size of one of these piers and how much of an obstruction it would be in the river.

Mr. MCPHERSON. I will read from the engineer's report what would be the size of the pier of the North River Bridge Company, the one which was chartered three years ago, and that is located within the pier line. It is 340 feet one way by 180 feet the other; and surely with a pier to be located in the river at an elevation of a thousand feet out from the Jersey shore in deep water, with a silt bottom very largely, which necessarily would require caissons to be put down perhaps 150 feet for a foundation to bear this great cantilever structure or system reaching out a thousand feet from the pier line in both directions, I can not imagine that it could be less in size than that proposed by the North River Bridge Company.

I will state further as to the cantilever bridge across the Firth of Forth in Scotland, which is a bridge of like character with this proposed bridge, the Engineering News gives the foundation:

The dimensions of such a bridge pier in the North River can certainly not be less than those of the Brooklyn Bridge—140 by 60 feet—near the water line, but, on account of the more exposed location of wind storms, it must be made larger. It was necessary in the case of the Forth bridge, in Scotland, for this reason to make the towers very wide at the base, requiring a group of four piers, each 80 feet in diameter, and the middle tower occupying an area of 430 by 230 feet, for which an existing rocky island was utilized.

Mr. GEORGE. That answers my question.

Mr. MCPHERSON. Now as to the argument that this engineer uses. He says:

That company also uses the argument that at their location a bridge pier is admissible because it would be on anchorage ground. But as new docks are all the time building from both sides of the river farther north it will only be a question of time when the whole river front on both sides, from Fort Washington and Fort Lee down, will be occupied by docks, and when the anchorage ground will be moved further north. A bridge pier, occupying an acre and a half of space and forming a veritable island, would be a serious menace to navigation.

The statement which is made on page 2 of the inclosed House report from Mr. GEARY that a single span bridge—

Now, here is a thing that has frightened this company—

That a single-span bridge would cost over \$100,000,000 is a misrepresentation.

I now read from the engineer of the North River Bridge Company.

Mr. HILL. The opposition bridge company.

Mr. MCPHERSON. Very well; the opposition bridge company, if you please. He says:

If that company would invite competitive plans from engineers and bridge builders for single-span bridges of 3,100-foot span, which is nearly the same at that location as for the North River bridge at Hoboken, it would soon be shown that a single-span bridge, for fast railroad trains on six tracks, could be readily and economically built on that location for about \$20,000,000. Their demand for a pier in the river is caused by the desire to get a greater

privilege than the North River Bridge Company has obtained, and to use this advantage in selling their bonds on the representation that their bridge will cost less.

And so on. Speaking further, he says of the single-span bridge:

It is not true that single-span bridges over the North River above Hoboken can not be built.

And take to-day the consensus of opinion of nearly all the great engineers of the world and they will tell you that it is not impossible, but entirely feasible.

It is an old story which was told when Roebling proposed to bridge the East River to Brooklyn with a single span. Almost all other engineers in the country at that time considered him visionary and his scheme impracticable. But his judgment has been vindicated by the completion of his bridge and by the building of a much larger bridge in Scotland, namely, the Forth bridge, near Edinburgh, having two larger spans (1,700 feet each) than the Brooklyn bridge with a 1,600-foot span.

The span I suppose for each of the arms would be about a thousand feet if it is built in accordance with this bill. A pier on the New York side of the river would carry a cantilever half way over, opening not less than 2,000 feet I suppose. Senators understand how these cantilever bridges are built. They join together with arms from the two piers. They join together in the middle, and are supported, of course, upon strong piers and braces from above, and it is almost a perfect balance, with an arm running in opposite directions.

Now, Mr. President, it is shown that even the Firth of Forth bridge is much larger than is proposed here, even if you wish to build a cantilever bridge, but there is no necessity for putting a pier in that river at all.

Mr. LINDSAY. With permission, I will ask the Senator from New Jersey if the act of the Legislature of New Jersey prohibits a pier from being put in the river?

Mr. MCPHERSON. The act of the New Jersey Legislature, I will say to the Senator, was passed in 1868. Then the line between New York and New Jersey had not been definitely defined, and it allowed them to build one or more piers a thousand feet apart. That act was passed at a time when there was no attention paid to bridge building, and the New Jersey Legislature I think to-day would not think of passing any such act.

The New Jersey bridge charter required that consent should first be obtained from the State of New York for like powers and privileges from that State before a bridge could be constructed. It was not obtained until 1890. In 1890 the State of New York absolutely denied to the company the right to put a pier in the river, and they made it a condition that the whole river should be spanned. They were not given power even to build one at the New Jersey end of the bridge except upon the condition that there should be no pier in the river anywhere. That was the demand of the Maritime Association; that was the demand of the people of New York; and not only that, but they could not even place a railroad track upon their bridge. Now, this charter gives them power to put railroad tracks upon the bridge. They come here and get it from Congress. It is not such a permit under some general system of laws, such as the honorable Senator from Missouri [Mr. VEST] a year or two ago had passed here for bridge building across the Western rivers. That was a well-guarded bill in the interest of navigation, while this is a bill to destroy navigation.

Mr. HILL. Will the Senator allow me?

Mr. MCPHERSON. Certainly.

Mr. HILL. A bill was passed by Congress a few years ago for a rival bridge company, if I may use that term, expressly providing that it should be a railroad bridge.

Mr. MCPHERSON. Yes, sir; and let me describe to the Senator what kind of a bridge that was.

Mr. BRICE. Will the Senator allow me to ask him a question?

Mr. MCPHERSON. I will.

Mr. BRICE. Was there not a limitation in the bill passed in 1890 providing that some work must be done before July 1, 1893; otherwise the charter would fail. Do I understand that that time has not been extended?

Mr. MCPHERSON. I understand it has been extended.

Mr. VEST. It was extended for twelve months.

Mr. MCPHERSON. I do not want any member of the Senate to understand me as opposing this charter. I will gladly and freely vote for a charter to these people on the same terms exactly that I voted for the other charter. I do not want to restrict bridge building across the Hudson River. I am not an advocate of one company more than another. I say that you have given to the other company the power to bridge by a single span. Give it to this company, and under no consideration give to either company the power to interfere with the navigation of the river.

Mr. HILL. If the Senator will allow me, it was claimed by the friends of the North River Bridge Company that they ought

to have the same rights as this company, and at the instance of gentlemen who are friendly to that company this very bill has given that bridge company the same rights. The Senator from New Jersey ought to state that for the benefit of the Senate. So far as that branch of the argument is concerned both companies stand upon an equality. I doubted the propriety of mixing up the charters of the two bridge companies in one bill, but the committee thought otherwise. It was a unanimous report.

Mr. McPHERSON. Speaking of the North River Bridge Company, when they came to the War Department and to Congress they adopted a plan and that plan showed exactly how much they were to do by way of approaches. It was only to drop from the level of the bridge down to join and connect with the soil beneath. They did not have any permission to run all over the country, but only a bridge to cross the river and sufficient approaches for trains and vehicles to get on the bridge. The distance, as the Senator from New York knows, between Hoboken and the hills, we call them the bluff, is scarcely less than from where we sit down to the foot of the Capitol grounds. There is a level plain, and beyond that is a hill two or three hundred feet high. The bridge would necessarily be built from the bank of the river on an elevation until it reached the bluff. It would interfere with no traffic there, and in the city of New York it could not move a step under the laws of the city of New York unless it secured its authority from the municipal authorities.

Now, I want the bridge bill to be passed, but I do say that I am sure every Senator will find if these piers are put in the river that they will be destructive to the navigation of the stream. There is no reason for it except it will save this company perhaps \$10,000,000 or \$15,000,000 in the construction of their work, and to that extent rob the commerce of the country of more than a hundred million dollars before the end comes, because we are not legislating for a thing that is to last a week or a month, we are legislating for all time for the greatest commercial city in the United States, a city where the railroads of this country, the great trunk lines of railroad which wander far and wide over the States and Territories of the great West, bring the products of the West and land them there at our very doors. It is the spot where imports and exports meet for exchange; where these great steamship lines come in and discharge their freight directly on the cars to be transported West, and they discharge in like manner the freight which is brought from the West is discharged into ships immediately at the dock.

Let me show what the Engineering News says on the effect of these piers. I shall read it, so that there may be no mistake as to the exact words:

The North or Hudson River at New York City, is the principal harbor of the United States. Its navigation has distinctly the character of harbor navigation, combined with river navigation; that is, the vessels not only pass up and down, as on a river, but crosswise, from shore to shore, and diagonally, as in a harbor. The large ocean steamships must have room to swing in and out of their docks and slips, and chiefly for this reason the anchoring of vessels in the river is prohibited. Some of these steamers are 500 feet long, and steamers will undoubtedly soon appear of a length of over 600 feet, requiring the full unobstructed width of the river at any point for their evolutions. Two of the White Star steamers are 583 feet long, two of the Inman steamers 565 feet, while the new Cunard steamers will be 620 feet long, and the new Inman steamers probably about the same length.

From year to year the region devoted to wharves and docks is extending upward, and probably will in future require the entire water front of the city. Besides, the United States Government is cutting a canal from the North River to the Harlem River for the purpose of giving direct entrance to ocean craft from Long Island Sound through the Harlem River into the North River, which will thus more than ever require to be free from mid-river obstructions. The time of greatest danger to navigation is during the frequent fogs in the harbor. Collisions are of almost daily occurrence, in spite of all possible precautions, as shown by the reports of the Chief of Engineers, United States Army, but a collision of two ships can never be so disastrous as a collision of ship and bridge pier.

The maneuvering and steering of vessels intersecting each other's courses is very much complicated by any immovable obstruction, such as bridge piers in a harbor, even in clear weather, and becomes a matter of very serious danger in icy or foggy weather; so much so that if nature had planted piers or rock islands in the North River the Government would long ago have expended hundreds of thousands of dollars, if necessary, for their removal, as it did at Hell Gate, with less than one-tenth of the prospective commerce.

I wish to call the attention of the Senator from New York to what would have been the effect if this proposed pier had been in the river at the time of our great naval parade, when the naval vessels lay at anchor in the Hudson River up about Seventieth and Seventy-second streets, and even as far as Eightieth street, New York. The Engineering News tells us that one of the modern ships of commerce, a ship 600 feet long, lying at anchor with her cable chains almost as long, would require, to swing with the tide, a space of 1,200 feet.

Within 1,200 feet of that pier, up and down the river, a vessel cannot be anchored, and a vessel can not be anchored between the pier and the New Jersey shore, because it is only 1,000 or 1,100 feet from the shore, although the water is deep enough.

Mr. GEORGE. Will the Senator allow me to ask him a question at that point?

Mr. McPHERSON. Yes.

Mr. GEORGE. I ask the Senator from New Jersey if the exact point at which the bridge is to touch the New Jersey shore is located in the bill?

Mr. McPHERSON. Yes; sufficiently definite for our purpose.

Mr. GEORGE. I ask, further, if that part of the shore is used for the landing and anchorage of vessels and for the loading and unloading of vessels?

Mr. McPHERSON. If there is a single vacant pier or space wide enough for a pier for 6 miles from the very point where the bridge crosses I do not know of it, and I think I am very conversant with that whole locality.

Mr. GEORGE. Does the commerce go above the place?

Mr. McPHERSON. It goes up near to the pier where this bridge will be located. And every year adds new piers for commerce.

Mr. GEORGE. Are railroads concentrated there?

Mr. McPHERSON. The great railroad companies and the largest coal industry in the city of New York is near where it is proposed this bridge shall cross, or a little below the point, and there are the great terminal facilities of the New York and Erie Railroad, the West Shore Railroad, the Delaware, Lackawanna and Western, another trunk line, then comes the great Pennsylvania system, the Baltimore and Ohio, the Lehigh Valley, together with great steamship lines, and more coming every year, all located on the Jersey side of the river.

In speaking of the location along the river, I am speaking of the trunk lines of railroad, which absorb the whole water front for a mile below Jersey City, up almost to the very point where the bridge is proposed to be placed.

Mr. VEST. Does the Senator from New Jersey mean to answer the question of the Senator from Mississippi by stating that the proposed bridge has been located?

Mr. McPHERSON. I understand that the bridge has been located, and plans had been filed.

Mr. VEST. If the Senator from Mississippi will look at the bill, he will find that there is no location of the bridge; it is not to be below Sixty-sixth street, and its location is subject to the approval of the Secretary of War. That is all there is on that point.

Mr. McPHERSON. There has been no secret about the location of the bridge, as I understand.

Mr. VEST. I do not know where it is to be located.

Mr. GEORGE. I do not know whether the Senator from New Jersey is the proper person of whom to ask the question which I desire to propound, but I ask the question generally, what is the propriety of leaving to the Secretary of War the location of the pier on the New Jersey side of the river, whilst it is definitely fixed on the New York side?

Mr. McPHERSON. I should like to have some other Senator answer that question. I can not answer it.

Mr. LINDSAY. I ask the Senator if there is anything in this bill which authorizes any pier to be put in the river on the New Jersey side?

Mr. McPHERSON. I think there is.

Mr. VEST. No, there is not.

Mr. LINDSAY. Is not this bill intended to be a mere license by the Federal Government to construct across a navigable stream a bridge which could not otherwise be constructed; and does not the bill provide in express terms that the structure is to conform to the laws of New York and New Jersey; and is not the provision as to the piers and spans a limitation upon the power of the Secretary of War; and is not the Secretary of War authorized to require the piers and spans to be constructed as he may think the necessity of commerce requires?

Mr. McPHERSON. It is supposed that the Secretary of War has already given his approval. The bill had been submitted to the Department at least, and report made.

Mr. VEST. I deny that, Mr. President, absolutely. It would be an outrage for a Cabinet officer to give his approval of a bill before it is submitted to him as an act of Congress; it is an outrage upon the Secretary of War that such a statement should be made. He would be subject to impeachment if he should do such a thing as to say in advance to the company, "I approve your bill before Congress has passed upon it." The Chief Engineer comes before our committees and says that he proposes to exercise the discretion given to him in this bill, and that no pier shall be placed there which will obstruct navigation. I am surprised that the Senator from New Jersey makes such a statement.

Mr. McPHERSON. I presume the Senator has in his committee room a copy of that report. Unfortunately I have not the paper before me this morning; but it is not an unusual thing for committees of the Senate to submit important matters to the Departments for information and criticism; and the evidence is here that the Board of Engineers recommended amendments,

which the committee adopted, to this very bill. His plea of impeachment comes very late. Let me say to the Senator it has always been done since I have been in the Senate, and never did I hear it criticised before.

Mr. VEST. I have stated it again and again, and it seems to make no impression upon the Senator from New Jersey. Does he mean to say that a report from an engineer or a set of engineers is absolutely compulsory on the Secretary of War? Does he not know that the reports have been rejected time and again in regard to bridges over navigable streams? Yet the Senator persists in the statement that the Secretary of War has in advance of any legislation by Congress approved of this bill. I deny it. I have too much respect for Mr. Lamont to believe that he would do any such thing.

Mr. MCPHERSON. The Congress of the United States are given direction, supervision, and control over the navigable waters of this country. I want to know if the Senator from Missouri is willing to abdicate his power and responsibility and allow a bill of this kind to pass, which seemingly on the one hand authorizes the Secretary of War to do a certain thing and in another clause of the bill says he need not do it unless he desires to do so. This is not treating the Secretary fairly.

Mr. VEST. I will answer the Senator from New Jersey.

Mr. MCPHERSON. In other words, I think the true construction of this bill would impel the Secretary of War, if the Board of Engineers should decide favorably to it, to proceed to execute the law, and we are told here that the Chief of the Board of Engineers has been present in the committee room and has given his assent to the bill. The Senator from North Carolina [Mr. RANSOM] made that statement, and unless the Secretary therefore repudiates the advice of the Board of Engineers he will hardly see his way out of the difficulty.

Mr. GEORGE. The question I propounded to the Senator from New Jersey was based upon the following language contained in the bill: "And no pier shall be built on the New York side of the river outside of the existing pier-head line;" which I understand to be the structure for the loading and unloading of the vessels. Is that correct?

Mr. MCPHERSON. Yes.

Mr. GEORGE. The bill continues: "And on the New Jersey side only at such a point as will make a clear water way of not less than 2,000 feet from the pier located on the New York side." I understand the river is 3,100 feet wide. So this provision will be complied with by locating the pier on the New York side at a point fixed by Congress, and it would leave to the Secretary of War to locate it on the other side of the river, by putting it 1,100 feet from the shore, whilst on the New York side it would be at the shore. I want to know why the distinction is made between the State of New York and the State of New Jersey in that respect?

Mr. MCPHERSON. The company have the idea that they can not span the river with their bridge for more than 2,000 feet. They knew that the State of New York would not brook it. The Legislature of that State denied them the right and they fell back upon the power granted to them in 1868 in an old New Jersey charter for the power to locate a pier on the New Jersey side when the New York Legislature denied them the right, and now they ask Congress to help them out.

I desire to say that I do not wish to throw any hindrance or obstacle in the way of a vote upon this bill, but the amendment I have offered providing that the board of freeholders of the county of Hudson shall have charge over the approaches to the bridge I think is proper. I should like to have a vote upon that question, and then I should like to have a vote upon another amendment which I shall send to the desk and ask to have read.

Mr. VEST. Let the other amendment be acted upon first.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from New Jersey.

Mr. VEST. I want to be heard upon that amendment, if the Senate will permit me. Is the Senator from New Jersey through?

Mr. MCPHERSON. I am until I offer the amendment which I hold in my hand.

Mr. VEST. I suppose the Senate would act upon one amendment, and not make a double-barreled arrangement of it.

Mr. MCPHERSON. I thought the amendment had been disposed of.

Mr. VEST. The amendment has not been disposed of.

Mr. MCPHERSON. Then I should like to have a vote upon the amendment.

Mr. ALLEN. I ask that the amendment of the Senator from New Jersey may be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. In the second clause, line 32, after the word "New York," it is proposed to insert "and in the State of New Jersey by the board of chosen freeholders of the county of Hudson."

Mr. MCPHERSON. I ask to have a vote on the amendment I have offered, and then I shall present the other amendment.

Mr. HILL. Are there any other amendments to be offered to the bill?

Mr. FRYE. I hope the Senator from New Jersey will not offer the other amendment until we have disposed of the first amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Jersey, which has been read.

Mr. VEST. Then I shall take the floor, Mr. President.

I have had considerable experience with the necessary legislation by Congress with regard to the construction of bridges over navigable streams. The duty has been imposed upon me for over ten years, as chairman of the subcommittee of bridges of the Committee on Commerce, to give attention to this matter; and I can say without any hesitation that it is simply impossible to give permission to any corporation to construct a bridge over a navigable stream without a contest between the navigation interests and the bridge interests. Every bridge is necessarily in a larger or smaller degree an obstacle to navigation. I might say that there is a natural antagonism between the rights of navigation and those of railroad companies who desire to cross navigable streams with their tracks.

It is a very wise provision of the Constitution which gives the arbitrating power to Congress. There is no provision in the Constitution reposing power in the legislative department which receives greater illustration of its efficacy and propriety at every session of Congress. Unfortunately the Senator from New Jersey seems to be under the impression that this is a local question, and he continually refers to what the Legislature of New York has done and what the Legislature of New Jersey has done. I care nothing for the acts of either.

My construction of the power of Congress, as given by the Constitution, is that we shall pass in each instance upon the issue as to whether navigation will be interfered with by the construction of a proposed bridge. As to what may occur upon either side of a river, as to the railroads which may come to a bridge, and as to what streets in a municipality these roads shall be upon, Congress, in my judgment, has nothing whatever to do. Our responsibility and power are confined entirely to the question as I have stated it, whether the proposed bridge structure interferes with the navigation of a navigable stream.

I opposed the charter for the North River bridge because that company came to Congress and asked us to usurp, in my judgment, the functions of the States Legislatures and to create a corporation. They ought to have gone to the States of New York and New Jersey, one or either or both, in order to get their charter. In the present instance, this company has a charter both from New York and from New Jersey.

The Senator from Mississippi [Mr. GEORGE] asks why it was that that the New York side of the pier was prohibited outside of the pier-head line, whereas on the New Jersey side there was no such limitation. I will answer him very frankly. The act of the Legislature of New York prohibited any pier outside of the pier-head line, and the act of the Legislature of New Jersey did no such thing. It is a remarkable fact that the charter of this company has been amended three times in two years, and the Senator from New Jersey knows and admitted, and these amendments were approved by the chief executive and the attorney-general of that State, and that no such prohibition as to piers outside of the pier-head line on the Jersey side was put in those amendments.

Mr. GEORGE. By the New Jersey Legislature?

Mr. VEST. By the New Jersey Legislature.

Mr. MCPHERSON. I do not think the Senator is correct when he says the act was amended. I think the act was revived. It expired either by limitation or by lack of attention in paying the fees, taxes, etc., to the State; but I think the legislation of which the Senator speaks was not to revive the act in any sense which gave additional authority about piers in the river.

Mr. VEST. It does not break the force of my argument that the amendment simply revived the act. The point I make is that the attention of the Legislature of New Jersey was called to this charter, and if they had considered the provision as to piers important and necessary they would have amended the original charter, which they did not do.

Mr. ALLEN. I should like to ask the Senator from Missouri a question, if he will allow me.

Mr. VEST. With great pleasure.

Mr. ALLEN. I understood the Senator to say that the constitutional power which Congress had was simply to grant a license or privilege to build a bridge over a navigable stream.

Mr. VEST. Yes.

Mr. ALLEN. I should like to ask the Senator if it is not true that it would be perfectly competent for Congress under the pro-

visions of the Constitution, to prescribe the regulations for the operation of bridges over navigable streams over which persons may travel and railroads be constructed?

Mr. VEST. I suppose Congress could put conditions upon the construction of a bridge, if the Senator means that; and we do that in every bridge bill. We provide that it shall be of such a height, that the spans shall be of such a length, etc.

Mr. ALLEN. I ask if the Senator admits that it would be perfectly competent for Congress in the passage of this bill to prescribe that all railroads which may cross the proposed bridge shall have the same rights?

Mr. VEST. We always do that. That is part of the legitimate power of Congress. Of course, we may provide that other railroads may use the bridge, and if the company which receives the charter and the other companies desiring to use the bridge can not agree, then that question shall be submitted to the Secretary of War. All these are corollaries from the constitutional power to regulate the bridging of navigable streams. What I mean is that we have no right to go within the legislative jurisdiction of a State and say that a railroad company shall have the right to condemn land according to an act of Congress for the right of way to get to a bridge: or that their tracks shall be of such a width or that their tracks shall be of such a height.

Mr. ALLEN. I fully concur with the Senator.

Mr. VEST. That is all I mean to say.

I opposed the North River bridge because, in my judgment, it usurped the functions of a State Legislature; I fought it in committee and fought it on this floor, but I was overruled by a majority of the committee and of the Senate. I opposed the provision in this bill as originally offered, that the municipality of New York should have certain powers over the connections of this bridge; in other words, I contend that Congress has no right to say that the municipality of New York shall be vested with other powers than the State Legislature has given them. That is all of it. I sympathize with all that can be said against the grant of extraordinary powers by Congress in derogation of the rights of a State Legislature.

Mr. GRAY. If I understand the Senator from Missouri, this bill is not a bill which attempts to charter a bridge company and to authorize and control the operations of a bridge, but it is merely to remove any objection which the United States may have, by reason of its control of the navigable waters of the United States, to the erection of a bridge by a corporation already authorized by the States of New Jersey and New York to make that construction.

Mr. VEST. If I understand the Senator's question, yes.

Mr. GRAY. That, I believe, is the situation.

Mr. VEST. All that I intended to do in my legislative action, in the Committee on Commerce and here, was to give this company the right to construct a bridge which would not interfere with navigation of that river, that is all; and I opposed every other provision in this bill.

Mr. FRYE. I understood the Senator from Missouri to take the floor for the purpose of giving his objections to the amendment of the Senator from New Jersey.

Mr. VEST. I am coming to that. I have stated what is my opinion generally on the subject of the construction of bridges over navigable streams.

The Senator from New Jersey, as I was proceeding to say, has attempted to consider this question as a local matter. It is not a local matter; it is a matter affecting the people of the whole United States. Take, for instance, the citizens of Missouri, who ship large amounts of produce to New York, not only to be consumed in that city, but to be sent abroad. Every impediment to cheap entrance into the city of New York and to gain access to the seaboard of that port is a charge upon the people of my State and upon the corn, wheat, and cattle we send to New York and to foreign countries. As you increase the facilities of transportation, you increase the price which is given to the producer. That proposition is beyond question.

Now, what is the condition of affairs in the great city of New York? You are forced to cross that river at immense expense, the value of commodities relatively considered. The traveler who goes there must pass from Jersey City on the property of a corporation, a ferryboat, and pay toll every time he crosses that river, and be subjected to immense inconvenience, as every one of us knows, after he has reached the New York side. The whole country is interested in bridging that river.

Mr. McPHERSON. May I ask a question?

Mr. VEST. Certainly.

Mr. McPHERSON. It is provided in the bill that the bridge company may charge toll upon the railroad, and the railroad companies, I assume, will charge it back again upon the party who occupies a seat in the car?

Mr. VEST. As a matter of course.

Mr. McPHERSON. Therefore, I see no difference whether

a railroad company which furnishes the appliances or some one else who furnishes them makes the charge.

Mr. VEST. If the Senator from New Jersey does not admit the fact that the greater facility you give to the transportation of either passengers or produce across that river the more it is to the interest of the public, then I despair of convincing him of anything.

Mr. McPHERSON. I will answer the Senator in a word if he will permit me to do so.

Mr. VEST. Certainly.

Mr. McPHERSON. I want to say to the Senator that to-day there is no produce coming from Missouri or any other State in the American Union which would cross that bridge into New York any more than crosses to-day. The great railroad system there discharges grain upon the New Jersey shore; we take it over to Brooklyn in cars, and deliver it directly to the elevators. It can not be carried across to the New York side. There is no room for freight depots in the heart of the great city of New York; and besides, grain and produce of all kinds must be left upon the shores convenient to water transportation, to be carried by steamships. The bridge is to be one for the accommodation of passengers, and the carriage of the mails and express freight, and it can not with profit be used for anything else. You can not cart the grain and cattle of Missouri from their proposed station in the heart of the city to the steamship in the harbor. I can not understand how the Senator got that idea into his head.

Mr. VEST. Well, Mr. President, if the Senator prefers it, I shall confine my argument to passengers. Still, I say, that the construction of another bridge, or of a dozen bridges, would be in the interest of the general public throughout the United States. It is absurd, with all respect to the Senator from New Jersey, for him to stand here and state that it would cheapen transportation for either passengers or produce to have but one way of getting into the city of New York. If the Senator chooses to put himself in that attitude, let him do so.

Mr. GEORGE. May I ask the Senator as to a question of fact?

Mr. VEST. Certainly.

Mr. GEORGE. Is it beyond the engineering science of to-day to build a bridge across the Hudson River without a pier in the middle of it?

Mr. VEST. That is a question which was asked of Col. Casey before the Committee on Commerce, and he frankly confessed that he was not able to reply to it without consulting riparian engineers. Col. Casey is a very able engineer, but not a riparian engineer in the strict sense of the term. There is a riparian engineer in charge of that river, who reports to Col. Casey, and Col. Casey reports to the Secretary of War, and the Secretary of War to Congress.

Mr. GEORGE. Then, that part of the case has not been made out?

Mr. VEST. That part of it. I do not pretend to be an expert, and I only speak with such knowledge as I have derived as chairman of the subcommittee on bridges of the Committee on Commerce, that the span proposed here, if constructed, will be the longest in the world. When Capt. Eads proposed to throw a span of 525 feet in the great St. Louis bridge engineers sneered at the idea and said it was utterly impracticable, but it stands there to-day and will probably stand there as long as this continent endures. The longest span that has ever been constructed, even under the cantilever system, is 1,700 feet over the Firth of Forth. One was constructed of 1,500 feet, which was wind-blown and fell, and then another of 1,700 was constructed. The bridge proposed by the pending bill can not be less than 2,000 feet, and as much more as the Board of Engineers may require.

The Senator from Texas [Mr. COKE] asks me a question as to the length of the span of the Memphis bridge. I can not state it accurately, but it is over 600 feet, between 600 and 800 feet. Under the cantilever system, however, the span of the bridge over the Firth of Forth is 1,700 feet, and the proposed bridge, if constructed, I repeat, will be the longest span in the world in any bridge.

Mr. GEORGE. Does the Senator from Missouri concede the position taken by the Senator from New Jersey to be correct, that the proposed bridge will not be used for freight, but only for passengers?

Mr. VEST. I do not concede it, because the statement made to our committee was directly the opposite. The Senator from New Jersey has made a great many statements, which he doubtless believes, but I do not know on what authority.

Mr. GEORGE. That is all I wanted to know.

Mr. VEST. I know that this matter has been repeatedly before the Committee on Commerce for five years, and we have the most voluminous testimony coming from different interests in regard to it. One of the main arguments before the Committee

on Commerce has been that the construction of this bridge or any other bridge would cheapen the transportation of Western products as they come to New York and the seaboard.

I repeat that I should like to see five bridges constructed instead of two, if they did not obstruct navigation on that river. Competition would necessarily cheapen transportation, and that would be in the interest of the great producing classes of the country. This is especially desirable now when agricultural products are so much depressed in value.

Something has been said here about the North River bridge. I opposed that charter, but I made no opposition to the extension of the time after the company had failed to comply with the limitations prescribed in the original charter, and my personal relations were of the kindest description to the projectors of that bridge. They assured me personally and other members of the committee that if they only got the limitation extended for a very few months they would construct their bridge. The extension was cheerfully given to them, but the bridge has not been constructed.

I have no interest in this matter except as a Senator endeavoring to do his duty to the entire country. I have no prejudice of any sort which would interfere with me to impartially discharge my duty as between these warring corporations. All that I want to do, and all that the committee wants to do, permit me to say, is to evolve and bring out of this controversy something which will benefit the people of the whole country, without regard to these local antagonisms and interests.

Mr. MILLS. I simply desire to say that I wish to move an executive session, but I shall not do so if the pending bill can soon be disposed of.

Mr. VEST. We shall soon be able to conclude it.

Mr. MILLS. Very well.

Mr. VEST. Before I pass away from the subject of the pending amendment, I wish to call the attention of the Senator from Mississippi [Mr. GEORGE], as he has made an inquiry, and very properly, in regard to the legislation of the State of New Jersey, to an act of the New Jersey Legislature, which I have before me, approved April 17, 1868. I ask the Secretary to read the provision which I have marked.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

5. *And be it enacted*, That the said company shall have the power to erect, construct, and maintain a permanent bridge over the Hudson River, and construct and operate a railroad over the same between some suitable point in the city of New York and a point north of the southerly line of the township of Union, in the county of Hudson, in this State, and to lease, purchase, acquire, and hold as much real estate as may be necessary for the site of said bridge, and of all abutments, approaches, walls, tollhouses, and other structures proper to said bridge, and for the opening of suitable avenues to approach to said bridge, and shall also have power to build, erect, and construct a pier for the support of said bridge at the bulkhead line on each side of said Hudson River, and one or two piers in the river between such bulkhead lines with spaces between said piers of not less than 1,000 feet each: *Provided*, That nothing in this act contained shall be construed to authorize, nor shall authorize, the construction of any bridge which shall obstruct the free and common navigation of the Hudson River, save as herein granted, and such bridge shall not be less than 130 feet elevation above high tide at the middle of the river; it shall not obstruct any public road, street, or avenue which it shall cross, but such public road, street, or avenue shall be opened by a suitable arch or suspended platform as shall give a suitable height for a passage under the same for all purposes of public travel and transportation.

Mr. VEST. That sufficiently explains, it seems to me, why no provision was inserted in this bill as to the piers upon the New Jersey side. That act is in full force, and I submit that the Legislature of New Jersey is entirely competent, as was the Legislature of New York, to say what shall be done as to the piers upon the New Jersey side of the Hudson River. If the New Jersey Legislature entertained the same opinion in regard to these piers which seems to be entertained by the Senator from that State, they could easily have made it known, especially within the last two years, when they have three times acted upon this charter. Upon that particular point I have simply a word to say, and then I shall dismiss it.

I should not have favored either in committee or in the Senate any bill which proposed to arbitrarily place a pier in that river. There were conflicting opinions and arguments in regard to these piers and in regard to the span of a cantilever bridge. I supposed then, and think now, that the safest way for the Senate of the United States to act upon the matter is to leave this to the better judgment of the Engineer Corps. They are entirely impartial. There is, as I said, a riparian engineer expert in charge of that river. There is no more honest nor impartial nor conscientious public servant living than Gen. Thomas L. Casey; and this Congress has repeatedly evinced its confidence in him by putting him in charge of large public buildings, and following his judgment in regard to the construction of bridges all over the country, and in not one single instance have we been deceived by him.

Therefore, in this bill is the provision in two places that no

bridge shall be constructed there until Gen. Casey, or the head of the Bureau of Engineers, approves it. I grant you that this proposition may be answered by saying: "Gen. Casey may die." My experience with the Engineer Corps is that of all the bureaus of this Government they have been the most exceptionally true to the public interests and honest in the discharge of their duties. I know of but two instances in which engineer officers have been subjected to criticism on account of the manner in which they discharged their public functions.

Mr. GEORGE. Will the Senator allow me a moment?

Mr. VEST. Certainly.

Mr. GEORGE. Where the piers of a bridge are put in a stream at a point where the water is deep enough for navigation there must necessarily be an obstruction to some extent to navigation, and the question of how much obstruction we will allow in the navigation of a navigable stream seems to me is a political rather than a scientific question.

Mr. VEST. Mr. President, if we first establish the scientific premises, then I grant you it is to some extent what the Senator calls a political discretion, or, I should say, a legislative one.

Mr. GEORGE. Yes, legislative.

Mr. VEST. But we must first establish the scientific premises, that a pier of certain dimensions would produce the effect of which the Senator speaks. Who is the best judge in regard to that? I say the best judge necessarily must be the engineer, or a collection of engineers, in charge of those particular structures on the navigable rivers of the United States.

We do not pass a single bridge bill through Congress in which we do not rely upon the Bureau of Engineers. Every navigable river in the United States is under the charge of a riparian engineer. If that were not so, Congress would be completely at the mercy of the corporations of the country who wanted to construct bridges.

In this bill I endeavored for myself, and I think the committee endeavored, to follow the universal precedent, which is absolutely necessary, to rely upon the discretion of the engineer in charge of the river. This bill says absolutely and explicitly that the questions of where the pier shall be established and what its dimensions shall be are to be determined by the Bureau of Engineers, who report to the Secretary of War.

Another word, Mr. President, and I am done with this matter. In regard to the amendment proposed by the Senator from New Jersey, I do not know that I am prepared to make strenuous objection to it, although I am inclined to follow the action of the New Jersey Legislature. If they thought it was absolutely necessary to prohibit any pier they would have done so.

I do not like the provision of the bill as to the New York side of the river. I mean the provision in regard to the approaches; and I was absolutely opposed to the provision that the connection should be under the control of the municipal authorities of New York. It seems to me that it would have been better to have passed an ordinary bridge bill and to have left the question of approaches and connections to the legislative and municipal authorities in the States of New Jersey and New York; but, still, this is a compromise, and rather than have no bridge over that river, which seems to be likely if this bill shall be defeated, I prefer to accept this provision, though as my colleagues on the committee very well know I did not urge its adoption.

Mr. FRYE. As most of the Senator's argument has been outside of the amendment now proposed by the Senator from New Jersey, I want to ask the Senator if the bill provides "that the location of all approaches of said bridge in the city of New York shall be approved by the commissioners of the sinking fund of the city of New York," what is the objection or what is the unfairness of the provision asked by the Senator from New Jersey that the location of the bridge on the New Jersey side shall be determined by the commissioners to be appointed there.

Mr. VEST. I have not undertaken to say that it was unfair. I did state that I did not like that provision even as to the New York side; and if I had my choice I would not put any provision of that sort in the bill as to either side of the river. It seems to me that we should simply confine ourselves to our unquestioned jurisdiction, and give the power to construct a bridge which, in our judgment, did not interfere with the navigation of that river. It was urged, however, very plausibly in the committee, that the approaches were a part of the bridge, and that the authorities of New York should have the control of the approaches on that side. I doubted that proposition, and doubt it still. It seems to me the Legislature of New York should define the powers of the municipality of New York, and that Congress has nothing to do with that question. Still, it was impossible to pass the bill without some such provision, and I acceded to it very unwillingly.

Mr. GEORGE. Will the Senator allow me?

Mr. VEST. Certainly.

Mr. GEORGE. After there has been put in the bill a provi-

sion that the approaches on the New York side shall be under the supervision of the New York authorities, although that may have been improper, would it not be fair and equitable and just that the same provision should be inserted as to the New Jersey side?

Mr. VEST. Possibly so. I did not approve very much of either of those provisions. I do not care to dwell any further upon that question. I simply wish to make one remark which I made in the committee, and that is, it seemed to me that the provision that the location of the connections should be approved by the municipality of New York would put it in their power to prevent the use of that bridge altogether. I have never heard that argument answered.

Mr. GEORGE. Then that ought to be stricken out of the bill.

Mr. VEST. I opposed it; but when I found—every Senator of any experience here will appreciate what I state—that it was impossible to get any bridge over that river unless we compromised the question, I very unwillingly, as I said before, voted for the report of the bill with that provision in it.

I can only repeat what I have already said as to all these bridge bills, that Congress should confine itself to its constitutional function and not undertake to make laws either for a municipality or a State.

Mr. President, that is the whole of this question so far as I am concerned.

Mr. ALLEN. Before the Senator takes his seat I should like to ask him a question.

Mr. VEST. Certainly.

Mr. ALLEN. The Senator from New Jersey said under its charter, as I understood him, this bridge would be only for passenger traffic.

Mr. VEST. I doubt that.

Mr. ALLEN. Then I understand it to be for both freight and passengers. If that be true, as the Senator from Missouri suggests, the bridge affects commerce and affects the nation at large, and the Senator's position is correct.

Mr. VEST. I have only to say what I said before in regard to the statement of the Senator from New Jersey that no produce will be carried over this bridge, that the testimony before the Committee on Commerce was directly opposite to that assertion. I do not think the Senator from New Jersey appeared before our committee in any of the different hearings we have had; and, speaking as a lawyer, the weight of evidence was decidedly against his statement.

I am very willing, however, to confine the transportation to passengers; still I repeat that I should be very glad to have two bridges over that river, or three bridges, or five, in the interests of the whole people of the United States.

Mr. MCPHERSON. The Senator is no more willing than I am to build bridges across the Hudson River. I will vote for a general bridge bill, which allows anybody to build bridges across that river, provided no piers are put in the river. I shall vote for the passage of this bill, provided an amendment be agreed to by the Senate which protects the water way. I am perfectly willing to withdraw the amendment I have offered so far as the protection of the soil of New Jersey is concerned from the encroachments of this company, and allow them to go over New Jersey and do what they please; but when it comes to a question in which every Senator is interested, and every State in the Union is interested, as to whether a great national water way, the principal one in the United States, shall be protected, and whether any company of men shall be permitted, or whether the Secretary of War, or the Board of Engineers of the United States, shall be permitted to plant piers in the river, which every man knows tends to obstruct not only the commerce of the harbor and the ice, but block up the river and absolutely destroy almost one-quarter of the whole capacity of that river for commerce and trade, then and there I stop and call a halt.

Mr. President, if permitted, I withdraw the amendment, as there seems to be objection to it, and I shall offer the amendment which I send to the desk, which simply protects the water way. I ask to have the amendment read.

Mr. HILL. Is it understood that the other amendment is withdrawn?

Mr. MCPHERSON. Let it be withdrawn. I care nothing about it.

Mr. HILL. I want to be heard on the general question.

Mr. MCPHERSON. Let the amendment I have now proposed be read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In clause 3, line 53, after the word "made," it is proposed to insert:

And the said bridge shall be constructed with a single span over the entire river between towers or piers located between the shore and the existing pier-head lines in either State, and no pier or other obstruction to navigation of a temporary or permanent character shall be constructed in the river between said towers or piers.

Mr. ALLEN. I desire to offer an amendment to the bill, in line 68, on page 4, clause 5, by striking out the word "greater" before the word "pay;" in line 69, after the word "bridge," to strike out "than is allowed per mile to railroads using the same;" in line 72 of clause 6, after the word "all," to strike out "amendments thereof," and insert "laws enacted or to be enacted by Congress;" and in line 75, after the word "structure," to insert "and may be used for necessary military and post-road purposes without compensation."

Mr. MCPHERSON. I ask the Senator from Nebraska to let my amendment be agreed to before he offers his.

Mr. ALLEN. What is the Senator's amendment?

Mr. MCPHERSON. The amendment I have offered is simply to require this company and every company to build their bridge without piers.

Mr. HILL. I desire to submit a few words upon the subject of the amendment of the Senator from New Jersey.

Mr. VEST. Let that amendment be read.

Mr. HILL. Yes, read it.

The PRESIDING OFFICER (Mr. TURPIE in the chair). The amendment will be read.

The SECRETARY. In section 3, strike out all after the word "made" in line 53, and insert:

And the said bridge shall be constructed with a single span over the entire river between towers or piers located between the shore and the existing pier-head lines in either State, and no pier or other obstruction to navigation of a temporary or permanent character, shall be constructed in the river between said towers or piers.

Mr. HILL. Mr. President, this proposed amendment brings up the principal question involved in the bill, and that is, Shall Congress now, with what evidence it has before it, absolutely determine that there shall be no piers whatever in that river? In my judgment Congress might as well then determine that there shall be no bridge. It has been a disputed question among bridge builders and engineers as to whether there can be a bridge constructed over this river with a span more than 2,000 feet in length except at such an expense as will prevent practically the construction of the bridge. I do not say that it can not be done. It involves a large amount of money.

Mr. GEORGE. About how much?

Mr. HILL. Fifty or sixty million dollars.

Mr. GEORGE. In addition?

Mr. HILL. No, not in addition.

Mr. GEORGE. I should like to know about how much in addition.

Mr. HILL. We asked Gen. Casey the other morning—with the kind courtesy of the committee I was permitted to appear before it. He could not say, because he was not a bridge builder.

Mr. PEPPER. If the Senator will allow me, I wish to suggest to him that engineers have already determined that tubular steel arches can be thrown across a river 3,000 feet wide or more at a weight not to exceed that which is now found to exist in the ropes or cables by which the New York and Brooklyn bridge is suspended. So I think the Senator need not fear the construction of a bridge without any arches in the Hudson River, if he will go to that extent.

Mr. HILL. I simply know the fact that there is no such bridge anywhere in the world. I do not know what engineers may say is possible. They have many schemes and many theories, but I know the fact that as to the span the amendment proposes for this bridge there is no bridge in the world that compares with it. That is conceded. What do we say? We therefore say it is not wise to determine this question absolutely in the pending bill. We submit that the committee which had this matter in charge acted wisely when they said (and that is what the bill proposes) there must be a span of at least 2,000 feet.

There is no such span in the world now, but we will assume from what the engineers have said that it is possible. This span must, in the first place, be 2,000 feet, and if the Secretary of War, acting in conjunction with the engineers of that Department, concludes that a greater span can be built, and there ought not to be a pier in the river, then the Secretary of War is empowered in his discretion to extend it the full length of 3,100 feet. That is the question involved. Shall we arbitrarily determine that the Secretary of War shall not have this discretion, after consultation with the engineers, interested as much as we are in preserving the navigation of this river? Shall we determine it ourselves or leave it to the Secretary of War and his assistants? That is the question involved in the pending amendment.

Mr. President, in my judgment the best way is to leave it to the Secretary of War, to the officials of the Government. Whom does he consult? He consults the trusted officers of your Army and your Engineer Corps, men who have every interest to protect the public interests and the rights of all the people. In my judgment that is the best and the wisest course to pursue.

Now, a word further. I have no more interest in this bill than any other citizen of New York. I have as much interest in it,

and more, than any citizen of New Jersey or elsewhere. In my judgment it is a public matter in which we all should take a public interest. I have heard this question about obstruction to navigation urged many a time before.

I had the honor of passing upon the question of the construction of the Poughkeepsie Bridge. It was authorized by our Legislature, and it was said by this trumped-up maritime association and boatmen's associations and others who come to the front whenever they are wanted in opposition to great measures, that the construction of three piers in the Hudson River at Poughkeepsie, 50 or 75 miles above the city of New York, where the tide ebbs and flows almost upon a dead level from New York to Poughkeepsie, would destroy navigation. Men appeared before me as executive of the State and gave a list of figures to show how the price of transportation would be increased; that it would destroy the navigation of the river, and that there would be accidents upon the river.

I recollect distinctly asking the question upon the hearing on that bill, whether in the construction of the bridge (a portion of it having been constructed, and they wanted authority to extend the time to construct the remainder), when the river had been filled not only with the piers proper, but with the various materials in the construction of it, there had been any accident during the whole time of construction, and there had been none. Men were proclaiming that in the future there would be accidents all the time, when for three years while being built there had not been one. I recollect distinctly I took time for the consideration of that measure, ten days' time, and during the ten days an old canal boat full of coal was sunk by somebody down there by running against the pier. Evidently it was done by the opponents of the measure. It was altogether too late. There never had been an accident before; there has never been one from that day to the present of any consequence.

That, it is true, is 75 miles above New York City; but it is over the great Hudson River, and the citizens of New York are as anxious as the citizens of any other part of the country to protect a navigable stream, and it is where the tide ebbs and flows. There are those piers; they are not an obstruction to navigation. We have more commerce on that river than there is on the great Mississippi River, as the reports show. It all has to pass down under this bridge.

My friend from New Jersey became alarmed because of the great steamships that would be disturbed or hindered or delayed somewhat. The steamships do not go to Europe by way of Albany; they go the other way, out by Sandy Hook. There are no large steamships that go above the place where this bridge is to be built. They are anchored there only to a very limited extent. There is not a steamship company that has a pier above Twenty-third street. I challenge contradiction.

Mr. President, this bill has been before Congress for several years. I care nothing about the individual incorporators. I do not care who they are. I simply know it is a great public measure in which the citizens of my State are interested. The vote on this bill in the other House was unanimous. Every member of the other House from my own State voted for it, possibly with one single exception; I am not certain as to that. Every one of the members of the other House from the Senator's own State, without regard to party, voted for this bill. They saw no danger to the commerce of New York State, or New Jersey, or the country, but all gave it their approval.

My friend has championed the opposition to this measure heretofore. It is true, I know, that he has some personal friends, and he will not deny it, warm personal friends, who are officers of the other bridge company.

Mr. FRYE. Is the other bridge company making any objection to this proposed legislation?

Mr. HILL. I am coming to that in a moment. I think not.

Mr. FRYE. No, sir, not the slightest.

Mr. HILL. Except the Senator from New Jersey is opposing it, and certainly he has been, I think, the friend of the other bridge company.

Now, Mr. President, upon the question of the opposition of the Maritime Association, who is their protest signed by? I think I know the prominent men of New York City pretty well. I have seen this list of men before. I saw it the other day. I do not recognize the name of a single citizen of that State of any prominence whatever who makes opposition to the pending bill. I know you get up these boatmen's associations and they send petitions to this body for and against every question that is presented. They are easily obtained. They are self-appointed associations. They are simply upon paper, nine-tenths of them, and they read well here, several hundred miles away from New York; but they have no weight at home.

I think I speak for united New York upon this subject. I have heard of no opposition from New Jersey. I have seen no petition, I have heard no petition read here from there. There

has been no feeling manifested, such as is described, for the protection of that river. We are as much interested as any one else can be in the protection of the river.

This bill, as I said, has been before Congress on several occasions. In the first place, the local authorities of New York objected to it until just at the close of the last session of the last Congress. They thought they ought to have something to say as to where the bridge should be located, the approaches on the New York side. It is true the bill provides that the bridge shall not be located below Sixty-sixth street on the New York side.

That is a proper limitation, and nobody objects to it, because it is not expected we are going to build a bridge below that point. That is a sufficient limitation; but the local authorities having in charge the interests of the whole city thought they ought to have something to say about the particular location. Congress has the abstract right to make that limitation and restriction in granting this power. I should have preferred the local authorities not to have made the suggestion of a limitation, but they did, and the friends of the bill conceded the right that they might dictate to a certain extent where the approaches should be located. That is in the bill. It ought not to be taken out. If you take it out it destroys the bill, because we shall meet then with the combined opposition of the local authorities of the city of New York.

The bill was objected to heretofore for divers reasons. One of the reasons was that the local authorities of New York were against it. That has been obviated. It was objected that privileges were given in the bill which had been denied the other bridge company. What did the committee do? At its last meeting, at which the bill was agreed to be reported, the committee, in the interest of harmony and for the purpose of compromise, put a provision in the bill whereby the same privilege, leaving it to the Secretary of War to determine to what extent the span should be over and above 2,000 feet, was given to the other company the same as to the New York and New Jersey Bridge Company.

The Senator from Maine asks, is anybody objecting in behalf of that bridge company? They have heretofore. I do not understand that they object now. Therefore, the two bridge companies, by the terms of the bill as reported unanimously by the committee, stand upon an equality. It is true that the charter of the Old North River Bridge Company provided for a single span. It is true now it is placed by the provisions of the bill precisely where the New York and New Jersey Bridge Company are placed, namely, that both spans must be at least 2,000 feet apart. They may be as much further apart as the Secretary of War, after consultation with the engineers, thinks is advisable. So both bridge companies stand upon the same footing.

I care nothing about the other bridge company, nor in fact about this bridge company. If they intend to build their bridge all right. Their attitude to a certain extent has been one of opposition to this measure, and if they can build their bridge the citizens of New York will welcome them. There has been considerable delay. They were given an extension of time. It was not until a year ago that the bridge was to be started, that a commencement was to be had, I think last spring, and if it was done, if they got their money in Europe, there was to be but little opposition to this bill. Every time the bill comes forward it meets with some opposition I think upon the part of the other bridge company. I can not see now why there should be any opposition to it, because both companies are placed upon an equality by the terms of the bill, and this is a concession it seems to me that no one should object to.

My friend from New Jersey may say that neither bridge company should have this privilege of obstructing the river. I do not believe in that dog-in-the-manger policy. I believe the bill is sufficiently guarded. There may be something back of this, whereby certain people do not want a bridge across from New Jersey into New York. I want it constructed. I believe it is feasible under the provisions of the bill. I think the public interests demand it; I think the interests of the country demand it; and there must be some compromises in every bill. There were no dissenting votes to this report in the committee. All the interests were harmonized. Therefore I think that the amendment ought to be voted down, because in my judgment you will imperil the construction of the bridge by absolutely providing for a 3,100-foot span. You have no evidence before you of the cost of such a bridge. Has anyone made an estimate? Where is it? There has been no evidence taken upon it. It is not presented here. In my judgment it substantially imperils the passage of the bill by making any such provision. It is sufficiently guarded when it is left to your chosen officers.

Mr. WHITE of California. Will the Senator from New York permit a question?

Mr. HILL. Certainly.

Mr. WHITE of California. Has it been demonstrated or shown with any degree of certainty that a span of 3,100 feet can be so constructed as to be safe?

Mr. HILL. That is the question.

Mr. MCPHERSON. If the Senator—

Mr. HILL. Allow me to say one word further. Bear in mind where this locality is. The bridge proper does not touch Jersey City at all. The approaches proper do not touch Jersey City at all.

Mr. MCPHERSON. I do not know what the Senator calls the approaches.

Mr. HILL. From above Sixty-sixth street it is substantially in the country so far as Jersey City is concerned.

Mr. MCPHERSON. I know the plan which has been proposed here shows that a part of what they call their approaches runs for about 3 miles through Jersey City territory.

Mr. HILL. It may be the connections of other roads, but not the approaches to the bridge proper; they are nowhere near Jersey City; they are above.

Mr. MCPHERSON. I only show the map furnished me by the company.

Mr. HILL. I am certain I am right on that question, and I am informed so by gentlemen here who know the exact locality.

Mr. PALMER. I should like to ask the Senator from New Jersey a question. I ask him whether the municipal corporations in New Jersey have not the power under the laws to protect themselves?

Mr. HILL. I was simply going to make one further suggestion. The portion above Sixty-sixth street on the Jersey side, where it is supposed that the bridge is to be located, has been set apart for anchorage ground for vessels. It is regarded as a safe place. This will not disturb them in the slightest. From the river up there it is, I think, at least 3 miles down to the Battery. It is a safe part of the river. There is no danger, and can not be any danger there.

I submit to the Senate that upon a great public work of this kind there ought to be something beyond this mere Maritime Association or some such association to object. The people of New York do not object. The merchants of New York do not object. Its great men there who control that city do not object. I think the objection the gentleman gives from one maritime association in New York should not cut much of a figure in the Senate.

Mr. MCPHERSON. Mr. President—

Mr. WHITE of Louisiana. Will the Senator from New Jersey allow me to ask a single question? The Senator from Missouri has stated substantially the answer to the question put by the Senator from California, but I desire to state it more specifically, and the answer to that question in the hearing before the committee determined my action on the bill.

I put this question to Gen. Casey: "If a provision is inserted in the bill of 3,100 or 3,200 feet will it be possible to build the bridge?" Gen. Casey's answer was: "I am not a specialist in bridge building, nor would I qualify the army engineer as a specialist in bridge building, but I should say if that provision were put in the bill the bridge would not be engineeringly possible, and there would be no bridge. The longest span," said Gen. Casey, "of any bridge now existing is the Firth of Forth bridge, about 1,700 feet. The minimum span provided for this bridge is 2,000 feet. I think that is as high as it is safe to put the minimum stipulation in the bill." Then I said: "Gen. Casey, do I understand you to say that if we put in a limitation of 3,100 feet the bridge will not be built?" He said: "From my knowledge of engineering, although I do not claim to be a specialist in bridge building, I should say it can not be built." Therefore the question presented to me was, a bridge or no bridge; and inasmuch as the bill put a minimum limit above the widest span now existing on the face of the earth, and then allowed the Secretary of War to stretch that limit as far as he thought the exigencies of commerce required compatible with the structure of the bridge, I thought, the commerce of the country requiring the bridge, it was my duty to vote to report the bill favorably, and I did so.

Mr. MCPHERSON. I wish to say a single word, and then so far as I am concerned I shall be willing to vote upon this question. I wish to call attention to the remarks made by the Senator from New York. If he will consider for a single moment, they must appear to him as they do to me, as very weak, unnecessary, and almost discourteous. He charges me with being a friend of the other bridge bill, so called. I am the friend of the other bill and will be the friend of this bill in like manner if it spans the entire river. Then in the very next breath he tells us that his bill gives to my company, as he seems anxious to call it, the same privileges; conveying as I think the intimation that for that reason I would be found to favor it. He proposes that the existing company shall have the same privilege. There-

fore I do not know how to apply his criticism to me when he says I was the friend of the other bill. He is more the friend of the other bill than I am, because he reduces the cost to them as well as to his own friends.

Now, Mr. President, I oppose piers in the river to either company. All are my friends, equally my friends, and I am willing to do as much for my friends as the Senator from New York, but I will not by any vote of mine destroy a great harbor, a waterway, in order that the cost of building a bridge may be reduced 50 per cent.

The Senator from Mississippi asks what it will cost to build this bridge. I will give him the cost as estimated by an engineer. A six-track bridge spanning the river would cost about \$20,000,000. Remember this is to span the entire river.

Mr. FRYE. Mr. President, to the Committee on Commerce this question is as familiar as household words. It has been in contention there for six years at least, and from the very beginning I have insisted that under no circumstances should a pier ever be placed in the river. The Senator from New York said that the committee were unanimous in support of the bill. He was correct in that statement with a limitation. I think I never gave the impression to the committee—I trust I did not, nor to him—that I yielded in my contention that there should be no pier in the river. I never have yielded that, and I could not in conscience do so.

When the North River Bridge Company was before our committee with a bill for incorporation, I favored it very earnestly, because it is immensely in the interest of the East as well as the West to have a bridge across that river. All of my constituents and all down through Maine and Massachusetts need the bridge immensely just as much as the West needs it. I became interested in it. It was a new proposition to bridge that river with a span of 2,000 feet. I made a careful examination myself, as chairman of the Committee on Commerce, and I came to the conclusion that the company ought not to be allowed for a single instant to put a pier in the river a thousand feet from the shore, the river being about 3,100 feet wide at Twenty-third street, where this bridge was proposed.

We submitted that bill again and again to the Secretary of War. It was submitted to the local engineers in New York, and in every instance it was insisted that no pier should be put into the river. Every return made from the War Department was that no pier should be put into the river. Every bill presented to the War Department for bridging that river was returned with a proposed amendment that no pier should be placed therein, and we concluded and voted unanimously on the North River bridge bill that there should be no pier. The plan of that bridge presented to the War Department shows that there is no pier, but that there are two towers at the end of the pier-head line on each side of the river and a suspension bridge 3,100 feet long running from tower to tower.

The North River Bridge Company is making no contest here whatever. I am making none for the North River Bridge Company; not the slightest. I am simply contending, as I have contended from the very beginning, that there should be no pier in that river, and that there should not be any discretion in the Secretary of War or anybody else outside of Congress to put one there. When this bridge bill came before the committee we sent it, as we send all such bills, to the Secretary of War.

Mr. HILL. Will the Senator allow me a moment?

Mr. FRYE. Yes; with pleasure.

Mr. HILL. Was it not upon the Senator's motion that the North River Bridge Company was given the same power to construct a bridge with a span of 2,000 feet if the Secretary of War so approved?

Mr. FRYE. It was.

Mr. HILL. Did not the Senator vote to report the bill?

Mr. FRYE. I knew perfectly well that the pending bill reported to the United States Senate, backed as it was by a large majority of the Committee on Commerce and by two Senators from the great State of New York, would pass this body and eventually become a law. I believed it was outrageously unjust on a bridge company that had already spent \$250,000, had made contracts for steel, had purchased 114 lots of land on the Jersey side for its bridge, and was straining every energy to build a bridge which would cost \$50,000,000, with a span imposed upon that bridge of 2,100 feet, for Congress to parallel that bridge company right in its agony now, in these financial times, with another bridge with the liberty of a span of 2,000 feet.

No man would object to a proposition to place the two bridges upon a parallelism one with the other, but I did not yield my contention that neither bridge should be permitted to have a pier in that river. I say when this very bridge bill came to us several years ago it was sent as usual to the War Department. The Senator from Missouri [Mr. VEST] can not say anything complimentary to Gen. Casey that I will not indorse with

all my heart. He is one of the noblest and most honest men I ever knew in my life, and I would trust him with honor, property, or anything else on earth. What did Gen. Casey say of this bridge bill?

Commencing with the word "no," in line 39, strike out all down to and including the word "war," in line 43—

It would not be the same line here.

Mr. HILL. What is the date of that letter?

Mr. FRYE. April 29, 1892—

and insert in lieu thereof the following: "The said bridge shall be constructed with a single span over the entire river between the towers or piers located between the shore and the established pier-head lines in either State, and no pier or other obstruction to navigation, of a temporary or permanent character, shall be constructed in the river between said towers or piers."

The very amendment which the Senator from New Jersey has offered here. That was Gen. Casey's judgment in relation to it in 1892. February 23, 1893, the same bill was again referred to Gen. Casey, and he says:

After the word "feet," in line 43, insert "and the necessary towers or piers shall be located and built between the shore and the established pier-head lines in either State."

He never has made any return differently from that.

Mr. VEST. Is he of that opinion now?

Mr. FRYE. I will come to that in a moment. I say he never has made any return differently from that. The last return under which this bridge bill is reported to the Senate never came through the hands of the Chief of Engineers. The Chief of Engineers, with a sick wife, had been absent for two months from this city. The local engineers in New York reported directly through the Engineer Department to the Secretary of War in favor of this bridge. If that matter had gone to Gen. Casey, I have not the shadow of a doubt but that he would have proposed the same amendment he has proposed to this bridge bill every time the bill has been sent to him for explanation, and I have not a shadow of a doubt as to the effect of the location of a pier on that river. You will be compelled for a 2,000-foot suspension bridge to make a pier at least 300 feet square. The Forth pier is 400 and odd feet by 260, with a span of 1,200 feet. Now, drop into that river, if you please, a pier 300 feet square, in a river where the tide ebbs and flows, and where every ebb and flow will land against that pier on the upper side and the lower side an immense amount of debris, and thus in three or four years it will build up there an island, and in less than ten years you will have an island at least 4 acres in extent right in this river, in fog and in sunlight. I submit to any Senator whether that would be an obstruction to navigation of which mariners might not with infinite reason complain?

But can you build a span? Senators say they do not know. Gen. Casey, when asked the question, said that the Army engineers were necessarily not familiar with the matter of bridge building, but he said he would refer the committee to Engineer Lindenthal, the engineer of the North River Bridge Company, as able an engineer as there is in the United States. He is the engineer who made the span for the North River Bridge Company and submitted it to the Secretary of War, and it has received his approval. He says that there is not a shadow of a difficulty in building a span 3,100 feet long, and he says it costs of course a great deal more in proportion than one 2,000 feet long. Anybody can see that.

When the Brooklyn Bridge was proposed with a single span of 1,600 feet there was not an engineer in the United States who did not express serious doubt as to whether a bridge with that amount of span could be built, and there was a long contention as to whether the pier should be thrust out into the river any further than the pier-head line on the ground that you could not build it. They went to work; they built it; there was no difficulty about it then, and you can duplicate that Brooklyn Bridge to-day for one-half what it actually cost when it was built. Such attainments have been made in scientific efforts in the matter of engineering and of bridge building especially, and you can now build a span of 3,100 feet in length just as easily as ten years ago you could have built one 1,000 feet in length. As a matter of course, I say it will cost more money. I understand Mr. Lindenthal to say—

Mr. HILL. What does the engineer estimate that a 3,100-foot span will cost?

Mr. FRYE. I can not tell the cost of the span; it is a high estimate. I think the whole cost of the bridge and approaches is in the neighborhood of \$50,000,000 or \$60,000,000. That is the estimate.

Mr. McPHERSON. If the Senator will bear with me, I have Mr. Lindenthal's estimate, who was the engineer of the North River bridge, as to the cost of a six-track bridge, which we understand this company proposes to build from their plan. I read from Mr. Lindenthal's statement:

Mr. FRYE. If the Senator will wait just one moment I will finish what I have to say and yield the floor.

Mr. McPHERSON. All right.

Mr. FRYE. The Senator from Missouri says, can you not trust Gen. Casey. I can; and if I knew that Gen. Casey would be Chief Engineer for the next ten years I would not have the slightest hesitation in trusting him in connection with this bridge. He told me that he would never consent, so long as he lived, to a span of less than 2,700 feet at this place; that under no circumstances would he consent to it; and his own proposed amendment indicates his opinion. Therefore I would trust him entirely. I believe if the plans were laid before Gen. Casey to-day for approval he would compel the North River Bridge Company, as he did before, to build a span of 3,100 feet, and he would compel this bridge company, too, to build a span of 3,100 feet. But I have no assurance that Gen. Casey will always be there. I should have confidence in almost any army engineer. I have confidence in Mr. Lamont, the Secretary of War, but I do not know who Mr. Lamont's successor may be. I might have confidence in him. I hold it to be the duty of Congress, not of the Secretary of War, to say whether a pier shall be put into the river.

Mr. President, I am not in the attitude of opposing this bill. I very likely should not have offered this amendment to the bill.

Mr. HILL. Will the Senator allow me to say that the plans under this bill must be submitted to the Secretary of War within a year, and the work begun within a year, so that Gen. Casey and the present Secretary of War will have to deal with it.

Mr. FRYE. I understand that to be true, and there is not so much danger in the bill, I am free to admit, as I can conceive there might have been put in a bill; but I have my views about that river. The Senator from New York may think that I do not know anything about the river which flows up and down in front of his own city, and that he ought to know a great deal more about it than I, and feel a great deal more interest in it. I simply desire to say to the Senator from New York that I have made a pretty thorough and a pretty complete investigation of that river over and over again since I have been chairman of the Committee on Commerce, and I am reasonably familiar with the river and its navigation interests. I confess, however, that I have always felt more interest (and I think the Committee on Commerce will bear me out in that) in the maritime concerns than I have in the transportation over the rivers. My natural bent and turn have been for the protection of navigation rather than for the protection of railroads, while I believe and know that one is entitled to as much consideration as the other. I shall be compelled to vote for this amendment, but on my conscience, if it is not adopted, I still will vote for the bill as reported from the committee.

Mr. McPHERSON. Mr. President, I should like to answer the question asked by the Senator from New York [Mr. HILL] from a report made by Mr. Lindenthal, the engineer of the North River Bridge Company, who has been in Europe trying to make contracts for the construction of his bridge, and therefore I assume he knows quite as much about the probable cost of both bridges as any man living:

I am informed that the parties who built the Firth of Forth bridge agreed to build a bridge of a single span across the Hudson River, and to guarantee it for a certain sum of money, and if this be true they did not deem it impracticable.

If that company, meaning the company here asking for this legislation, would invite competitive plans from engineers and bridge builders for a 3,100-foot span, which is nearly the same at that location as for the North River bridge at Hoboken, it would soon be shown that a single-span bridge for fast railroad trains on six tracks may be readily and economically built on that location for about \$20,000,000.

Mr. HILL. I desire to state to the Senator, he has no connection of course whatever with either bridge company, although he holds in his hand the communication of its chief engineer. I have none; but the record before the committee shows that the engineers of the New York and New Jersey Bridge Company say it would cost from \$60,000,000 to \$70,000,000 to build this bridge. Bear in mind it is not to be done by the cities of New York and Jersey City, but it is to be done by private capital, and it could not be obtained. That is all I have to say in regard to that. We do not agree in the figures; and I do not believe that we can find any engineers in the country who will say that that bridge can be built for \$20,000,000.

Mr. GEORGE and Mr. CULLOM addressed the Chair.

Mr. CULLOM. I will yield to the Senator from Mississippi. Mr. MILLS. If this debate is to continue, the bill evidently can not be disposed of to-day, and I hope we shall have an executive session.

Mr. CULLOM. If a vote can be taken I will withhold any remarks I desire to make.

Mr. McPHERSON. Let us vote.

The VICE-PRESIDENT. The question is on the amendment of the Senator from New Jersey [Mr. McPHERSON].

Mr. MCPHERSON. Upon that I ask for the yeas and nays.
Mr. MANDERSON. Let the amendment be read.
The SECRETARY. In section 3 strike out all after the word "made," in line 53, and insert:

And the said bridge shall be constructed with a single span over the entire river between towers or piers located between the shore and the existing pier-head lines in either State, and no pier or other obstruction to navigation of a temporary or permanent character shall be constructed in the river between said towers or piers.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New Jersey, on which the yeas and nays have been demanded.

The yeas and nays were ordered.

Mr. COCKRELL. Let the amendment be again read.

Mr. VEST. If my colleague will permit me, I should like to state exactly the question. As the bill comes from the committee it provides that there shall be a span of not less than 2,000 feet, but that the Secretary of War may require a longer span, and in his discretion pass upon all the plans for the bridge.

Mr. CULLOM. And all to be done within a year.

Mr. VEST. And that all shall be done within twelve months. Now, that is the question. If the amendment of the Senator from New Jersey prevails it does away with the discretion of the Secretary of War entirely and says that there shall be one span across the river without regard to its length.

Mr. COCKRELL. And the bill as passed by the other House requires the span to be 2,000 feet.

Mr. VEST. Not less than 2,000 feet, and it provides that the Secretary of War may require a longer span if he thinks necessary.

Mr. MANDERSON. Can the Senator from Missouri give us the width of the river at that point between the piers?

Mr. VEST. About 3,100 feet, or 3,200 possibly.

Mr. FRYE. The width at Twenty-third street is about 3,100 feet; at Sixty-sixth street it is about 3,100 feet, 1 mile above it is about 3,300 feet, and 1 mile above that it is about 3,250 feet, measured by scales.

Mr. DOLPH. I think the Senator has made a mistake in saying that it is 3,300 feet 1 mile above Sixty-sixth street. It is 3,200 feet 1 mile above, and 3,300 feet 2 miles above.

Mr. SQUIRE. How much of the river is shoal, not navigable at the place where the bridge is proposed to be built?

Mr. MCPHERSON. None of it.

Mr. VEST. There is deep water on the Jersey side, I think.

Mr. SQUIRE. How much of it is not navigable? I have been told that a large area of the river there is unsuitable for navigation.

Mr. VEST. I believe there is some of it not navigable, but I do not know exactly how much. As the bill comes from the committee it leaves the discretion to the Secretary of War to approve the plans provided no span shall be put in of less than 2,000 feet. The amendment of the Senator from New Jersey does away with the discretion of the Secretary of War, and requires one span, without regard to length.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the Senator from New Jersey.

The Secretary proceeded to call the roll.

Mr. HUNTON (when his name was called). I have a general pair with the Senator from Connecticut [Mr. PLATT], who I believe is not present in the Chamber. I do not know how he would vote on the pending bill, and therefore I withhold my vote.

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. Not knowing how he would vote, I withhold my vote. I should vote "nay" if he were present.

Mr. PETTIGREW (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON]. If he were present I should vote "yea."

Mr. SHERMAN (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN]. I do not know how he would vote and therefore I withhold my vote. I should vote "yea" if he were present.

Mr. VILAS (when his name was called). I have a general pair with the Senator from Oregon [Mr. MITCHELL]. I do not know how he would vote on this question, and therefore I withhold my vote.

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "nay."

The roll call was concluded.

Mr. DUBOIS (after having voted in the negative). I wish to inquire if the junior Senator from New Jersey [Mr. SMITH] has voted.

The VICE-PRESIDENT. He has not voted, the Chair is informed.

Mr. DUBOIS. Then I withdraw my vote. I am paired with that Senator.

Mr. PALMER (after having voted in the negative). I am paired with the Senator from North Dakota [Mr. HANSBROUGH], but that pair has been transferred to the Senator from West Virginia [Mr. FAULKNER], which gives me permission to vote. I have already voted and make this explanation.

Mr. HARRIS (after having voted in the negative). Is the Senator from Vermont [Mr. MORRILL] recorded?

The VICE-PRESIDENT. He is not recorded, the Chair is advised.

Mr. HARRIS. I am paired with that Senator, and I do not know how he would vote. I have voted "nay," but I withdraw my vote because I do not know how the Senator from Vermont would vote if present.

Mr. CAREY. I am paired with the junior Senator from South Carolina [Mr. IRBY], but I understand he would vote "nay" on this proposition, and I will therefore vote. I vote "nay."

Mr. SHERMAN. As my vote will make no difference in the result, I will vote to make a quorum. I vote "yea."

Mr. COCKRELL. I am paired with the senior Senator from Iowa [Mr. ALLISON]. I do not know how he would vote.

Mr. BLACKBURN. I suggest to the Senator from Missouri that he transfer his pair to the Senator from Colorado [Mr. TELLER]. I have the authority of the Senator from Colorado for this.

Mr. COCKRELL. Then I will pair the senior Senator from Iowa [Mr. ALLISON] with the senior Senator from Colorado [Mr. TELLER]. I do not know how either of them would vote.

Mr. BLACKBURN. The Senator from Colorado [Mr. TELLER] would vote "nay" if he were here.

Mr. COCKRELL. I do not know how the Senator from Iowa would vote. I vote "nay."

The result was announced—yeas 17, nays 27, as follows:

YEAS—17.

Bate, Call, Davis, Frye, Gallinger,	George, Gray, Hawley, Higgins, Hoar,	McPherson, Peffer, Perkins, Pugh, Quay,	Sherman, Washburn.
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NAYS—27.

Allen, Berry, Blackburn, Brice, Cameron, Carey, Cockrell,	Coke, Cullom, Dolph, Gibson, Hill, Jones, Ark. Kyle,	Lindsay, Manderson, Mills, Palmer, Pasco, Power, Ransom,	Roach, Squire, Turpie, Vest, White, Cal. White, La.
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NOT VOTING—41.

Aldrich, Allison, Butler, Caffery, Camden, Chandler, Colquitt, Daniel, Dixon, Dubois, Faulkner,	Gordon, Gorman, Hale, Hansbrough, Harris, Hunton, Irby, Jones, Nev. Lodge, McMillan, Martin,	Mitchell, Oregon Mitchell, Wis. Morgan, Morrill, Murphy, Pettigrew, Platt, Proctor, Shoup, Smith, Stewart,	Stockbridge, Teller, Vance, Vilas, Voorhees, Walthall, Wilson, Wolcott.
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So the amendment was rejected.

The VICE-PRESIDENT. The question recurs upon the amendment proposed by the Senator from Nebraska [Mr. ALLEN]. The amendment will be stated.

The SECRETARY. On page 4, line 68, before the word "pay" strike out the word "greater;" so as to read:

Fifth. The company or companies availing themselves of the privileges of this act shall not charge a higher rate of toll than authorized by the laws of the States of New York and New Jersey, and shall receive no pay for the transportation of the mails across said bridge than is allowed per mile to railroads using the same.

Mr. VEST. As I understand the meaning of this amendment, it is to take away from this company pay for carrying the mails of the United States across this bridge. It has not been customary to have such a provision in regard to bridge companies. Wherever a railroad has a contract to carry the mails a certain distance, and that railroad company enters into a contract with a bridge company, of course the bridge company receives no pay, because the United States Government then treats with the railroad company; but in case no such contract should exist with the railroad company, and the United States should want to contract with the bridge company to carry the mails from one side of the river to the other, as the bill stands, the company could only charge the same rate that is charged for the transportation of the mails by the railroads on either side of the river. The amendment of the Senator from Nebraska, in any event, deprives the bridge company of any pay for carrying the mails.

Mr. HOAR. I should like to ask the Senator from Missouri a question, as he is familiar with this subject. I ask if I am

right in supposing that where the carrying of the mail across the bridge was the principal carriage it would have, whether the mail might not be compelled to go around in some other way, and thus delay and inconvenience the public? The bridge company would have no motive to let them cross the bridge.

Mr. VEST. That might be.

Mr. FRYE. I call the attention of the Senator from Missouri [Mr. VEST]—and perhaps the Senator from Nebraska [Mr. ALLEN] may have taken his amendment from that suggestion—that in the case of the North River Bridge Company we did insert a provision that the mails should be carried free across the bridge. The reason we did that was because we conferred unusual powers on the North River Bridge Company. We had chartered the corporation, thus giving it reputation and credit which otherwise it would not have had, and we had given it the right of condemnation of property, a right which it has exercised, and in consideration of those unusual rights and privileges, we required that company to adopt the proposition practically which the Senator from Nebraska offers; but my recollection is that it never has been done in any other case. I ask the Senator from Missouri if that is not correct?

Mr. VEST. It never has been done in any other case.

Mr. FRYE. And I do not think it ought to be done in this case.

Mr. HOAR. That is not, as I understand it, the effect of this proposition. This is not a proposition that the mails shall be carried free across the bridge or to compel the company to carry them, but it is a provision that the company shall receive no pay.

Mr. VEST. That is it.

Mr. FRYE. That is still worse.

Mr. ALLEN. I was going to suggest, if the Senator from Maine will allow me a moment, that possibly this whole difficulty can be obviated. I understand the mail is carried across these bridges by contract with the railroad companies?

Mr. VEST. In some cases; yes.

Mr. ALLEN. If that be true, it occurs to me that the bridge company ought not to charge the Government distinctly for carrying the mail or for the privilege of the mail passing over that bridge, at least that it would be just as proper to make a distinct charge against passengers and against freight carried over the bridge as it would be to make a distinct charge against the Government for carrying the mail, providing the company which carries the mail pays for the privilege of using the bridge.

Mr. FRYE. I can not conceive how that could be done, because a contract would be made for carrying the mails from Washington to New York, and, as a matter of course, if this bridge were built the mail would be carried across it.

Mr. ALLEN. Senators seem to think that this difficulty can be obviated, but there is more trouble with the language employed than there is with the fact. I withdraw, however, that portion of the amendment, but the other portions of the amendment I think I shall insist upon.

Mr. CULLOM. Will the Senator please indicate the others?

Mr. ALLEN. I shall ask a vote on the amendment I have offered to the sixth clause, which reads:

Sixth. That said company or companies shall be subject to the interstate-commerce law and to all amendments thereof, and when such bridge is constructed under the provisions of this act it shall be a lawful military and post-road and a lawful structure.

I move to amend that clause by striking out, in line 72, after the word "all," the words "amendments thereof;" and inserting "laws enacted or to be enacted by Congress;" and after the word "structure," in line 75, to insert "and may be used for necessary military and post-road purposes without compensation."

Mr. FRYE. Will the Senator allow me?

Mr. ALLEN. Certainly.

Mr. FRYE. The laws hereafter to be enacted of course could be made applicable in any direction Congress pleases to this bridge, because the right is reserved to amend or alter the act, and it can be changed in any way Congress pleases.

Mr. ALLEN. I think the Senator is partially correct, but my idea is that the expression in this clause, "subject to the interstate-commerce law," is not sufficiently broad, and that it should be expressed more distinctly that this corporation is subject to all laws now in existence or which may hereafter be enacted by Congress, so as to put the question of Congressional control entirely beyond any question. Possibly the language I have proposed does no more than to enlarge and make more specific a power which was designed to be granted.

Then, the next amendment, it occurs to me, ought to be adopted. That is, if this company is granted the privilege of constructing a bridge and they are charging tolls and making money out of it, the Government ought to have the right to use that bridge for necessary military and postal purposes without any charge. I believe that to be just.

I have no desire to enter into any lengthy discussion on the

subject, but the amendments I have proposed appeal to my sense of justice as being correct.

The VICE-PRESIDENT. The question is on the first amendment of the Senator from Nebraska, which will be stated.

The SECRETARY. In clause 6, line 72, after the word "all," it is proposed to strike out "amendments thereof" and insert "laws enacted or to be enacted by Congress."

The amendment was rejected.

The VICE-PRESIDENT. The next amendment of the Senator from Nebraska will be stated.

The SECRETARY. In clause 6, line 75, after the word "structure," it is proposed to insert:

And may be used for necessary military and post-road purposes without compensation.

The amendment was rejected.

Mr. TURPIE. I submit that the first word "and," in line 68, should be "or."

Mr. MILLS. That is right. It should read "New York or New Jersey."

Mr. VEST. That is correct.

Mr. HILL. There is no objection to that amendment.

The VICE-PRESIDENT. Without objection, the amendment will be agreed to. The Chair hears no objection, and the amendment is agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ORDER OF BUSINESS.

Mr. MILLS. I move that the Senate proceed to the consideration of executive business.

Mr. GRAY. I ask the Senator from Texas to yield to me.

Mr. MILLS. I yield to the Senator from Delaware.

Mr. GRAY. Before the Senate goes into executive session on the motion of the Senator from Texas, I wish the Senate to take up for consideration, and it may then be laid over until to-morrow, Calendar No. 80, being House bill 3687.

The VICE-PRESIDENT. The title of the bill will be stated.

The SECRETARY. A bill (H. R. 3687) to amend an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892.

The VICE-PRESIDENT. The question is on the motion of the Senator from Delaware to take up the bill the title of which has been read.

Mr. MILLS. Let that bill go over.

Mr. GRAY. I merely wish to have the bill taken up for consideration, and then I shall yield to the Senator from Texas.

Mr. DAVIS. I call for a division on the question of taking up the bill.

Mr. VEST. I think we had better have the yeas and nays.

Mr. HOAR. I suggest to the Senator from Delaware that his motion, if a majority of the Senate wish to take up the bill, will be as potent to-morrow morning after the routine business is over as now. The Senator is aware of the danger which exists, that if a division be had it may result in showing the want of a quorum.

Mr. GRAY. I have the bill in charge and I should like very much to have it taken up to-night, and then I should yield for a motion to go into executive session.

Mr. HOAR. I think the Senator had better not press the motion.

Mr. GRAY. If the Senators insist on calling for a division, of course I am helpless.

EXECUTIVE SESSION.

Mr. MILLS. I insist on my motion that the Senate proceed to the consideration of executive business, which has precedence over the motion of the Senator from Delaware.

Mr. GRAY. I withdraw my motion.

The VICE-PRESIDENT. The question is on the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, November 1, 1893, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate October 31, 1893.

ASSISTANT SECRETARY OF STATE.

Edwin F. Uhl, of Michigan, to be Assistant Secretary of State, vice Josiah Quincy, resigned.

SECRETARY OF EMBASSY.

James R. Roosevelt, of New York, to be secretary of embassy

of the United States at London, England, vice Henry White, resigned.

PROMOTION IN THE ARMY.

Medical department.

Capt. Edward T. Comegys, assistant surgeon, to be surgeon, with the rank of major, October 26, 1893, vice Skinner, retired from active service.

CONSULS.

J. Edward Nettles, of Darlington, S. C., to be consul of the United States at Trieste, Austria, vice Frank H. Brooks, resigned.

Robert J. Kirk, of South Carolina, to be consul of the United States at Copenhagen, Denmark, vice Orlando H. Baker, recalled.

INDIAN AGENT.

Charles E. Davis, of Mount Auburn, Ill., to be agent for the Indians of the Colorado River Agency in Arizona, vice Capt. Augustus G. Tassin, Twelfth Infantry, detailed to act as Indian agent, deceased.

ASSISTANT APPRAISER OF MERCHANDISE.

John W. A. Strickland, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, in the place of Denis F. Burke, deceased.

RECEIVER OF PUBLIC MONEYS.

Preston A. Griffith, of Kearney, Nebr., who was appointed June 28, 1893, during the recess of the Senate, to be receiver of public moneys at Sidney, Nebr., vice Mark M. Neeves, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 31, 1893.

CONSUL.

Charles Belmont Davis, of Pennsylvania, to be consul of the United States at Florence, Italy.

APPOINTMENTS IN THE ARMY.

Medical department—Assistant surgeons.

William W. Quinton, of New York.
Thomas S. Bratton, of South Carolina.
Deane C. Howard, of Massachusetts.
Alexander S. Porter, of Maryland.
William H. Wilson, of Missouri.

HOUSE OF REPRESENTATIVES.

TUESDAY, October 31, 1893.

The House met at 12 o'clock m. Prayer by Rev. ISAAC W. CANTER, of Washington, D. C.

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

GOVERNMENT NAVAL EXHIBIT, CHICAGO.

The SPEAKER laid before the House the Senate joint resolution 36, transferring the exhibit of the Navy Department, known as the model battleship Illinois to the State of Illinois as a naval armory for the use of the naval militia of the State of Illinois, on the termination of the World's Columbian Exposition.

Mr. CUMMINGS. Mr. Speaker, I am directed by the Committee on Naval Affairs to ask unanimous consent for the present consideration of this resolution. The committee has reported it favorably as a substitute for a pending House bill.

The SPEAKER. The resolution will be read, after which the Chair will ask for objections.

The resolution is as follows:

Resolved, etc. That on the termination of the World's Columbian Exposition at Chicago, Ill., in November, 1893, the exhibit of the Navy Department of the United States Government, better known as the model battleship Illinois, a facsimile of the battleships Indiana, Massachusetts, and Oregon, with such of her boats, equipments, and appurtenances now on exhibition as the Secretary of the Navy shall deem proper, be transferred to the State of Illinois as a naval armory for the use of the naval militia of the State of Illinois: *Provided*, That such articles as may or have been loaned by the various bureaus of the Navy Department, the United States Marine Corps, the Naval Academy, and Hydrographic Office be not included in the said transfer, except as hereinbefore provided.

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

There was no objection.

Mr. REED. If the gentleman from New York will give his attention, I would like to ask how much this resolution covers? Does it cover the rifle cannon as well as the model of the vessel?

Mr. CUMMINGS. It covers just what the Secretary of the

Navy shall decide. It leaves it with him. Here is a proviso which says:

That such articles as may be or have been loaned by the various bureaus of the Executive Department, the United States Marine Corps, the Naval Academy, and Hydrographic Office be not included in the said transfer, except as hereinbefore provided.

Mr. REED. It is not contemplated that it shall cover the ordnance or anything of that sort?

Mr. CUMMINGS. No, sir.

Mr. TALBOTT of Maryland. Only the structure itself.

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

On motion of Mr. CUMMINGS, a motion to reconsider the last vote was laid upon the table.

BRIDGE OVER, CADDO LAKE.

Mr. BLANCHARD. Mr. Speaker, I ask unanimous consent to discharge the House Calendar from the bill (H. R. 1919) authorizing the Texarkana and Fort Smith Railway Company to bridge Caddo Lake at or near Mooringsport, La., and Cross Bayou, near Shreveport, La.; and put it upon its passage.

The SPEAKER. The bill will be read subject to objection.

The bill was read at length.

The Committee on Interstate and Foreign Commerce recommend the adoption of the following amendment:

In line 36, section 1, after the word "sunrise" insert the words "throughout the season of navigation."

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

There was no objection.

The amendment was concurred in.

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

On motion of Mr. BLANCHARD, a motion to reconsider the last vote was laid upon the table.

BRIDGE ACROSS SULPHUR RIVER, ARKANSAS.

Mr. McRAE. Mr. Speaker, I ask unanimous consent to consider the bill (H. R. 1917) authorizing the Texarkana and Fort Smith Railway Company to bridge the Sulphur River, in the State of Arkansas.

This bill is to allow the same railroad company to cross another river. It is identical, I believe, in terms with the other except as to the rivers or the bridge.

The SPEAKER. The bill will be read.

Mr. McRAE. The bill is identical with the other bill that has just been acted upon by the House. It has been referred to the War Department. It is the same railroad company, and I ask unanimous consent to dispense with the reading of the bill and consider the amendments suggested by the committee.

Mr. TRACEY. I object, Mr. Speaker. I think all of these bills should be read.

The bill was read at length.

The committee recommend the adoption of the following amendments:

In line 6 of section 1, after the word "Arkansas," insert the words "or in the State of Texas."

In line 8 of section 1, after the word "line," insert the words "said point selected to be subject to the approval of the Secretary of War."

In line 42 of section 1, after the word "and," insert the words "whatever kind of bridge shall be constructed."

In line 43 of section 1, after the word "sunrise," insert the words "throughout the season of navigation."

Amend the title by inserting, after the word "Arkansas," the words "or in the State of Texas."

There being no objection the bill was considered, and the amendments recommended by the committee were concurred in.

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

On motion of Mr. McRAE, a motion to reconsider the last vote was laid upon the table.

REPORTS OF COMMITTEES.

The committees were called for reports; when bills of the following titles were severally presented, and, with the accompanying reports, ordered to be printed, and referred to the Calendars named below:

TEXARKANA AND FORT SMITH RAILWAY COMPANY, ARKANSAS.

By Mr. GEARY, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 1916) authorizing the Texarkana and Fort Smith Railway Company to bridge Little River, in the State of Arkansas—to the House Calendar.

FORFEITURE OF RAILROAD LAND GRANTS.

By Mr. ELLIS of Oregon, from the Committee on the Public Lands: A bill (H. R. 3544) to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding