Mr. CULLOM. That is the joint resolution we passed for annexation.

Mr. HALE. My question led to this point: Whether this bill which the Senator has reported carries out what is evidently the intention and purpose of that act, and whether in form it guards and establishes an educational fund that shall not be spoliated for other purposes?

Mr. CULLOM. There may be some additional legislation necessary to what is in this bill or in the annexation act.

Mr. HALE. I should say so, for that purpose.

Mr. CULLOM. I am inclined to think there ought to be some additional legislation.

Mr. PLATT of Connecticut. The bill has this provision—

Mr. HALE. From what is the Senator reading?

Mr. PLATT of Connecticut. From the Hawaiian bill.

Mr. HALE. What page?

Mr. PLATT of Connecticut. Page 32, line 33:

All funds arising from the sale of lease or other disposal of such lands shall be appropriated by the laws of the government of the Territory of Hawaii and the laws of the state and by the laws of the Territory of Hawaii as are consistent with the joint resolution of annexation approved July 7, 1898.

The joint resolution says that Congress shall legislate with reference to these purposes.

Mr. SPONER. But the joint resolution does not dedicate the proceeds of the public lands to educational purposes.

Mr. HALE. It does not.

Mr. SPONER. It says "for educational and other public purposes." It may all be devoted to educational purposes, or none of it.

Mr. PLATT of Connecticut. I think this provision needs some amendment.

Mr. HALE. I think so, too.

Mr. CULLOM. As a matter of fact, I think the authorities now in control of the islands regard education and the public roads and highways as the most important subjects for attention, and the probabilities are that, if left alone, they will divide that fund for those purposes.

Mr. HALE. That is quite likely; but I do not think we should leave this in the realm of probabilities. Here is to be a very considerable fund. It seems to be the purpose and the expectation that it shall be devoted to education. It consists of valuable tracts of land; and everybody knows if you leave the disposition of any fund to the rule of men or to the rule of three, or the rule of any other three, it is the practice to get the money up for a special purpose, in emergencies it may be taken for anything, and the design will be thwarted.

Mr. SPONER. Will the Senator from Illinois allow me to interrupt him?

Mr. CULLOM. Certainly.

Mr. SPONER. It is perfectly plain from the provisions of the bill that that whole subject is re-committed by Congress to the local legislature.

Mr. CULLOM. To their direction.

Mr. PLATT of Connecticut. But the resolution of annexation retains it in Congress.

Mr. SPONER. Yes. The bill reads:

All funds arising from the sale of lease or other disposal of such lands shall be appropriated by the laws of the government of the Territory of Hawaii and the laws of the state and by the laws of the Territory of Hawaii as are consistent with the joint resolution of annexation approved July 7, 1898.

The joint resolution of annexation did not dedicate these funds or the proceeds of the sales of public lands to educational purposes.

Mr. CULLOM. Not fully.

Mr. SPONER. Not at all.

Mr. HALE. But "to educational and other purposes."

Mr. SPONER. "Other purposes." Under this bill as it stands the Senator from Maine is perfectly right; it seems to me, in saying that the legislature of Hawaii may appropriate the proceeds of the public lands to any public purpose.

Mr. CULLOM. I am not raising any question on that.

Mr. PLATT of Connecticut. But there is an unrepael act of Hawaii that does not conform to this bill.

Sec. 202. All proceeds of sales of public lands shall be set apart as a special fund for the payment of the bonded indebtedness of the government or for the purchase of other public lands.

Mr. CULLOM. That has been repealed.

Mr. PLATT of Connecticut. That has not been repealed.

Mr. CULLOM. It is repealed by the fifth and sixth sections of this bill, if in conflict with its provisions.

Mr. PLATT of Connecticut. It is not repealed specially, and may be spoliated as a special or as an educational fund.

Mr. HALE. But still it would be clearly repealed by a subsequent law which makes other provisions. If the Senator will permit me—the bill, of course, will take some time, as it is important—I think his committee had better prepare an amendment to come in at the end of the section which specifically dedicates this fund for educational purposes, and not leave it subject to any previous determination.