in Texas, called the chaparral plant, or the chaparral bean. That
need in Hawaii was introduced from Peru. It is not precisely
like the Texas tree, but very like it, and is called the algaroba. It
is a native of South America, and the pod, the hull itself, and all
of its contents are as sweet as sugar. The tree bears very abundantly, throws off its pods every morning
during the entire year, there being no frost in that country,
and furnishes a large supply of most excellent forage for all kinds
of animals, including those with hoofs. It bears fruit during the
whole year, and until recently, because I have been told that
the Indians used to make their life in Hawaii. They were really dis-
figured with fat. They were fattened upon these pods.

Another very fine quality of the tree is that it is most excellent
for wood, an article that is a little scarce in Hawaii, or was scarce
when this new system was inaugurated; but all kinds of fruit,
all sorts of flowering plants, and shrubs are cultivated in those
mountain ranges by the government, and it is very essential that
it should be done.

Agriculture, horticulture, floriculture in Hawaii are very im-
portant and very profitable lines of industry. Hawaii without
roads and canals is, of course, is the one inconsiderable country, except to men upon
mountain ponies, or to goats, or something of that kind.

That government has devoted itself and the proceeds of the sales
of the public lands very largely to the making of roads, so that
there is no country I know of now that is better supplied with
very fine roads and canals than is Hawaii, and that is due to the
town of Hilo, 31 miles long, flanked with coffee plantations
on either side, is the most beautiful road I think I have ever seen,
almost if not entirely, worthy of comparison with Pennsylvania
avenue for its solidity, for its grade, and everything else; so that
a new road, as far as I know, is as the road to the town of Kiluea and run into Hilo, 31 miles,
without putting his foot on the pedals of the bicycle, except to hold
back, and he has not very much of that to do. That is a very
beautiful road, and there are other roads of that kind.

That agriculture and roads must be the sale and disposal of the public lands are put under this commission
that will be to the Congress of the United States, in order that
we may exact legislation here intelligently, and in the meantime
that the money which has been derived from the sale of lands,
which was, before this commission reported, in the treasury, and
that it will be applied by that government there, that is says, it will be applied, and no doubt has been applied by that
government to the making of these same roads and to these same
purposes. It is to authorize and to justify that action on their
part that the bill is in the form in which it is. It may be a little
complicated, but I am not afraid of it.

Mr. CULLOM. I was myself quite anxious that the Senator
from Alabama should make exactly the explanation he has made
on the subject. I shall soon conclude what I have to say, if Sena-
tors will be kind enough not to interrupt.

Mr. TILLMAN. May I interrupt the Senator unless the
Senator is willing; but there are so many things in this bill
which need explanation that I must be excused if I ask him a
question.

Mr. CULLOM. I yield for a question.

Mr. TILLMAN. I notice on page 53 of the bill something that
seems to be rather critical it is in Latin, which makes it even
more remarkable. It reads:

That all sales, grants, leases, and other disposition of the public
domain and agreements concerning the sale and all franchises granted by the
Government in conformity with the laws of Hawaii prior to the 11th
day of September, 1898, are hereby ratified and confirmed.

We, in the joint resolution annexing the Hawaiian Islands, took
the public domain—the lands—out of the jurisdiction of those
people, and set them apart for a specific purpose—that is, for the
use and benefit of those people, mainly for education. They may
have granted or leased all the lands away. We do not know what
has been done; we have not been permitted to find out; we have
ratified in the dark, without any facts before us, the action of the
government which has been in existence since the islands were
annexed, now for over a year, without any appeal to our courts
as to the justice of these grants or leases, or any statement as to the
quantity of the land which has been thus disposed of.

Mr. CULLOM. The trouble with the Senator is that he was
not listening when I went over that a while ago.

Mr. TILLMAN. How much land has been alienated?

Mr. CULLOM. I have stated that I believe some 54 tracts or
parcels, as the case may be, were alienated; and I explained what
some of them were, but I explained it in the transaction which has taken place since the annexation of
the islands, or since the flag went up there, to the time when the
President of the United States made an order stopping any further
dealing in lands by the government of those islands. The Senator
can see that and look it over at his leisure.

Mr. TILLMAN. Mr. President, with a multitude of other mat-
ters that are piling in here every day, the Senator must not object
to one who is not particularly charged with the subject matter
asking those in charge of a particular bill to explain its provisions.

Mr. CULLOM. I am not objecting to the Senator’s question.

Mr. TILLMAN. The Senator seems to think that I am hyper-
critical.

Mr. CULLOM. I have not objected to any question of the
Senator up to this minute, and I hope to continue in the same
spirit.

Mr. TILLMAN. The Senator has always been courteous. I
simply wanted to have some light on this remarkable matter.

Mr. CULLOM. I hope the Senator will secure the document
to which I have referred and investigate it. I shall be glad to
give him any information I have that will throw further light
upon the Senator’s question.

Mr. TILLMAN. I thank the Senator, and I will avail myself
of his kindness to ask him a great many more questions about
this bill before we get through with it.

Mr. CULLOM. I have no doubt of it.

There have been questions raised as to the court system of those
islands, which the Senator is entitled to know about. We found in the repub-
lic a system of courts which seemed to be satisfactory to the subst-
tantial people of those islands and to everyone else, so far as I
know. They have there a supreme court, composed of three mem-
bers, who are appointed for life or during good behavior. The
members of the circuit court also have life tenure, and the sup-
reme court’s tenure is not to be disturbed, nor should the tenure of office of the judges.
The committee, however, felt that a life tenure of a Territorial
judge was not in harmony with our ideas in this country, and we
determined to fix the term of the judges of the supreme court at
nine years.

Mr. PLATT of Connecticut. If the Senator will permit me, as
he submits to interruptions kindly, I should like to ask him a
question.

Mr. CULLOM. Certainly.

Mr. PLATT of Connecticut. While the Senator is on this point,
I think it might be worth while to ask him how long a term the justices or
judges of the supreme court will have after the nine years’ term
for which they are continued?

Mr. CULLOM. The purpose of the bill was to fix the term at
nine years.

Mr. PLATT of Connecticut. But it does not do it, I think.

Mr. CULLOM. If it does not, it ought to do it. The further
fact is, as I understand it, that one of the judges of the supreme
court, the chief justice—who is an American, by the way, I be-
lieve—an American born — on account of ill health, has resigned, so
that there is a vacancy now.

Mr. PETTUS. Mr. President, on that very subject I desire to
call the attention of the Senate to the last clause in that section,
which seems to me to give the judges a life tenure; and that is in
conflict with the other part of the section, which gives them a nine
years’ term, as the Senator will see if he will read the section.

Mr. CULLOM. There may be some little amendments neces-
sary to that provision in the bill, so as to make its purpose entirely
clear.

Mr. PETTUS. The bill says the judges are to hold office until
there is a vacancy. I suppose it was intended to mean until their
successors shall be appointed and qualified.

Mr. CULLOM. Certainly.

Mr. PETTUS. That is what I informed was the intention;
but if you will look at the bill, you will see it reads “until there
is a vacancy.”

Mr. CULLOM. It ought to be until their successors are ap-
pointed and confirmed.

The committee, as I said, that it was in the interest of good
government and in harmony with the wishes of the people
of that Territory that we should not overturn their system of
government either in the courts or otherwise where it could be
averted consistent with our ideas of republican government.

I want Senators to bear in mind that we are dealing now
with an old government, a well-established government of a people,
which has existed for many years, and not dealing with a few
scattered settlements over the prairies or in a land which has not
been settled, but with a government existing, which has been run
honest and efficiently, and that no kind of change is necessary.

Mr. SPOONER. Will the Senator allow me to ask him a ques-
tion while he is dealing with the subject of the judiciary in
Hawaii?

Mr. CULLOM. Certainly.

Mr. SPOONER. Is any appeal provided by this bill from
any judgment of the supreme court?

Mr. CULLOM. Of the Territory?