

CONGRESSIONAL DEBATES ON HAWAIIAN ORGANIC ACT

Together with Debates and Congressional Action on Other Matters Concerning the Hawaiian Islands in the 56th Congress, First Session, December 4, 1899-June 7, 1900.

Photostatic Reproductions from the Congressional Record, Vol. 33, Parts 1-8.

## F O R E W O R D

This compilation of pages reproduced from the Congressional Record has been prepared in order to provide a convenient reference source for study of the debates in Congress at the time of enactment of Hawaii's Organic Act. Several considerations prompted the photographic reproduction of pertinent parts from the Congressional Record in a single volume. Debate at the time of the passage of the Organic Act furnishes, as do the debates of Constitutional Conventions for the federal and state constitutions, a valuable source of information in understanding and interpreting provisions of the Organic Act. These debates in the original binding are contained in sets of volumes of from six to seven thousand pages for each session of Congress and are printed without full subject indices, making necessary the reading and handling of a large number of volumes and pages in order to cite debate regarding a particular section of the Organic Act. In addition, these volumes, dating from 1900, are now well worn and in danger of loss by frequent use.

The present volume, one of a series which will ultimately contain reproductions of all Congressional debates concerning Hawaii, the Organic Act and its amendments, deals with the debate on the original Bill which ultimately became the Organic Act.

Hawaii was annexed as a part of the territory of the United States by Joint Resolution (H. Res. 259) of the 55th Congress, Second Session. In the Third Session of the 55th Congress, meeting from December 5, 1898 to March 3, 1899, two Bills were introduced which would have provided a government for the Hawaiian Islands. These were S. 4893 and H. R. 10990, neither of which passed or received extended debate at that session.

Senate Bill 4893 was introduced December 6, 1898, by Mr. Cullom, read twice by its title and referred to the Committee on Foreign Relations. It was reported from the Committee with amendments December 21, and was brought before the Senate March 1, 1899 by Mr. Cullom, who made an explanatory speech. No further action was taken. H. R. 10990 suffered much the same fate. It was introduced December 6, 1898, and referred to the Committee on Territories. The Committee reported it with amendments January 23, 1899, accompanied by Report No. 1808, and it was referred to the Committee of the Whole House on the state of the Union. The 55th Congress adjourned before it was debated or acted upon.

At the First Session of the 56th Congress, meeting from December 4, 1899 to June 7, 1900, Bills were introduced both in the Senate and in the House of Representatives providing for an Organic Act for the Territory of Hawaii. These were H. R. 2972 and S. 222. It is the latter Bill which finally became the Organic Act. Extended debate was given to this Bill in both the Senate and the House, and House amendments were added to the Senate Bill.

For the sake of completeness in one volume every reference to action on these two Bills as well as action on other Bills concerning the Territory have been included in this compilation, although many of the matters here reproduced are simply routine forms of actions. In order to reduce expense of photostating, a number of these routine items, not in the nature of debate, and matters not directly related to the Organic Act, have been presented in typed form rather than in exact reproduction. All debate on, and all references to, the Bills providing for the Organic Act have, however, been photostated as exact reproductions.

As an aid in using this compilation, marginal notes giving the date and citation have been added. Also, a more complete subject index has been prepared, although the Index as it appears in the Congressional Record has also been reproduced as a part of this compilation.

In order to avoid two separate systems of pagination, photostated pages in this compilation have not been numbered. The original Congressional Record page numbers appear in the marginal note to each excerpt and at the top of the pages of any continuation of it. This, of course, leaves omissions in the page numbers, but the pages are consecutive and the excerpts chronologically arranged as they appear in the Congressional Record for all matters dealing with Hawaii and the Organic Act.

This compilation was prepared by the staff of the Legislative Reference Bureau, largely through the work of Mrs. Kathleen M. Schutte, and was made possible through funds provided by the Attorney-General's Department. To Mr. C. Nils Tavares, Attorney-General of the Territory, goes the credit for the suggestions leading to this compilation. Credit also goes to Dr. Ralph S. Kuykendall, Associate Professor of History, University of Hawaii, for valuable suggestions and lists of additional documents relating to the subject; and to Miss Charlotta M. Hoskins and Miss Janet E. Bell of the University of Hawaii Library staff, for the list of Selected References in U. S. Government Documents to Annexation and the Organic Act, prepared by them and included in this volume.

Gilbert G. Lentz, Director  
Legislative Reference Bureau

Honolulu, T. H.  
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CHRONOLOGICAL TABLE OF ACTION ON SENATE BILL 222 -

To Provide a Government for the Territory of  
Hawaii - 56th Congress, First Session.

- December 6, 1899 - Introduced in the Senate by Mr. Cullom, read twice by its title and laid on the table (p. 89).
- December 12, 1899 - Referred to Senate Committee on Foreign Relations (P. 233).
- January 4, 1900 - Reported back with amendments (p. 643).
- February 6, 1900 - Passed over (p. 1559).
- February 15, 1900 - Debated in Senate (p. 1836).
- February 16, 1900 - Debated and amended in Senate Committee of the Whole (p. 1869-1872).
- February 19, 1900 - Debated and amended in Senate Committee of the Whole (p. 1918-1934).
- February 20, 1900 - Debated and amended in Senate Committee of the Whole (p. 1979-1992).
- February 21, 1900 - Debated and amended in Senate Committee of the Whole (p. 2022-2033).
- February 23, 1900 - Debated and amended in Senate Committee of the Whole (p. 2122-2126, 2128-2133).
- February 24, 1900 - Debated and amended in Senate Committee of the Whole (p. 2179-2196).
- February 26, 1900 - Debated and amended in Senate Committee of the Whole (p. 2240-2257).
- February 27, 1900 - Debated and amended in Senate Committee of the Whole (p. 2316-2401).
- February 28, 1900 - Debated and amended in Senate Committee of the Whole (p. 2386-2401).
- March 1, 1900 - Debated and amended in Senate Committee of the Whole (p. 2438-2449).
- March 1, 1900 - Reported to Senate as amended, read a third time and passed (p. 2449).

## Chronological Table of Action on S. 222 (Cont.)

- |                |  |
|----------------|--|
| March 2, 1900  | - Read twice by its title and referred to House Committee on Territories (p. 2490).  |
| March 7, 1900  | - Reported back with amendment (H. R. Report 549). Referred to Committee of the Whole House on the State of the Union (p. 2637). |
| March 10, 1900 | - Made special order (p. 2740).  |
| April 2, 1900  | - Debated and amended in Committee of the Whole House on the state of the Union (p. 3702-3715).                                  |
| April 4, 1900  | - Debated and amended in Committee of the Whole House on the state of the Union (p. 3763-3777).                                  |
| April 5, 1900  | - Debated and amended in Committee of the Whole House on the state of the Union (p. 3800-3813, 3814-3822).                       |
| April 6, 1900  | - Debated and amended in Committee of the Whole House on the state of the Union (p. 3851-3866).                                  |
| April 6, 1900  | - Reported to the House an amended, read a third time and passed (p. 3866).  |
| April 7, 1900  | - Laid on table in Senate with House amendment (p.3907).   |
| April 10, 1900 | - Senate nonconcurs in House amendment, requests conference (p. 3964-3965).  |
| April 11, 1900 | - House insists on its amendments and agrees on conference (p. 4072).  |
| April 18, 1900 | - Conference report made in Senate and printed in Record (p. 4357-4358).   |
| April 19, 1900 | - Conference report debated in Senate (p. 4409-4411).  |
| April 20, 1900 | - Conference report debated in Senate (p. 4454-4470).  |
| April 21, 1900 | - Conference report rejected by Senate, disagreement to House amendment insisted, and further conference requested (p. 4508).    |
| April 21, 1900 | - House further insists upon its amendment and agrees to a second conference (p. 4528)   |
| April 25, 1900 | - Conference report made in Senate, debated and agreed to (p. 4648-4651).  |
| April 26, 1900 | - Conference report made in House, debated (p.4733-4737).  |
| April 27, 1900 | - Conference report agreed to (p. 4766-4767).  |
| April 28, 1900 | - Examined and signed by President pro tempore of the Senate and the Speaker of the House (p. 4800, 4806).                       |
| May 1, 1900    | - Approved by the President (p. 4892).   |

# CONGRESSIONAL RECORD

December 5, 1899  
House  
v. 33 (1)  
p. 57

**By Mr. Knox:** Also, a bill (H. R. 1025) prohibiting the legislatures of the Territories of the United States from creating new counties by special act, and for other purposes - to the Committee on the Territories.

December 6, 1899  
Senate  
v. 33 (1)  
p. 89

Mr. CULLOM introduced a bill (S. 222) to provide a government for the Territory of Hawaii; which was read twice by its title.

Mr. CULLOM. I desire to have the bill referred to the Committee on Foreign Relations, because it was formerly before that committee and reported by it, and two of the commissioners who were appointed to visit the Hawaiian Islands are members of the Committee on Foreign Relations. I make this statement frankly. I should like to have the bill referred to the same committee that considered it heretofore.

Mr. PLATT of Connecticut. I wish to have the reference of the bill delayed for a while. Let it lie on the table for the present.

Mr. CULLOM. I have no objection, if the Senator from Connecticut is anxious that that course shall be pursued.

The PRESIDENT pro tempore. The bill, at the request of the Senator from Connecticut, and without objection, will lie on the table.

December 6, 1899  
Senate  
v. 33 (1)  
p. 94

**Mr. Perkins also introduced a bill (S. 600) to extend the laws regulating immigration over the Hawaiian Islands ceded to the United States; which was read twice by its title, and referred to the Committee on Immigration.**

December 6, 1899  
Senate  
v. 33 (1)  
p. 96

**Mr. Nelson introduced a bill (S. 729) to extend the laws relating to commerce, navigation, and merchant seamen over the Hawaiian Islands ceded to the United States.**

December 8, 1899  
House  
v. 33 (1)  
p. 165

**By Mr. McRAE:** A bill (H. R. 2971) to extend the anticontract-labor laws of the United States to Hawaii—to the Committee on the Territories.

**By Mr. HITT:** A bill (H. R. 2972) to provide a government for the Territory of Hawaii—to the Committee on the Territories.

## TERRITORY OF HAWAII.

December 12, 1899  
Senate  
v. 33 (1)  
p. 233

Mr. PLATT of Connecticut. On a previous day of the session I asked that the bill (S. 222) to provide a government for the Territory of Hawaii, which was introduced by the Senator from Illinois [Mr. CULLOM], might lie on the table, and that action was taken. I supposed at that time that the bill would more properly be referred to a committee which might be appointed by the Senate; but I have no objection to its reference to the Committee on Foreign Relations, as it came from that committee last year.

Mr. CULLOM. I hope that will be done, Mr. President.

The PRESIDENT pro tempore. The bill, having been read twice, will be referred to the Committee on Foreign Relations.

December 16, 1899  
House  
v. 33 (1)  
p. 556

December 18, 1899  
Senate  
v. 33 (1)  
p. 559

December 20, 1899  
Senate  
v. 33 (1)  
p. 601

By Mr. PAYNE: A bill (H. R. 4599) to extend the laws relating to customs and internal revenue over the Hawaiian Islands ceded to the United States—to the Committee on Ways and Means.

#### PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore. The Chair presents resolutions adopted at a public meeting in the Hawaiian Islands.

Mr. CHANDLER. I ask that they be read.

Mr. HALE rose.

The PRESIDENT pro tempore. The resolutions are very short.

Mr. HALE. How do the resolutions come before the Senate? Are they in the form of a memorial?

The PRESIDENT pro tempore. They are directed to the President pro tempore of the Senate as a memorial to the Senate.

Mr. HALE. It is in the nature of a memorial?

The PRESIDENT pro tempore. Yes.

Mr. CHANDLER. It is in the nature of a petition, I understand. As it is brief, I ask that it be read to the Senate.

The PRESIDENT pro tempore. Without objection, the Secretary will read the resolutions.

The resolutions were read, and referred to the Committee on Pacific Islands and Puerto Rico, as follows:

*To the President of the United States Senate:*

At a public meeting of the citizens of Honolulu, Hawaiian Islands, held on July 4, 1899, to celebrate the one hundred and twenty-third anniversary of the declaration of American independence, the following preamble and resolutions were unanimously adopted, viz:

Whereas under and by virtue of the joint resolution of annexation the Hawaiian Islands have been annexed as a part of the territory of the United States and are now subject to the sovereign dominion thereof; and

Whereas the said resolution further provides that the municipal legislation of the Hawaiian Islands not inconsistent therewith nor contrary to the Constitution of the United States shall remain in force until the Congress of the United States shall otherwise determine; and

Whereas by the failure of the last Congress of the United States to enact necessary legislation at its late session much uncertainty exists as to the present status of the Hawaiian Islands in their relation to the Government, Constitution, and laws of the United States; and

Whereas this is deemed a fitting occasion for a public expression of opinion on the matter: Now, therefore, it is

*Resolved*, That this assemblage earnestly and respectfully asks of President McKinley and his advisers and the Congress of the United States to take such action as will cause the speedy extension of American Territorial laws to Hawaii.

*Resolved*, That a copy of these resolutions be forwarded to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

Signed on behalf of citizens as above.

GEORGE W. SMITH,  
*Chairman of Public Meeting.*  
B. HAYWOOD WRIGHT,  
*Secretary.*

HONOLULU, HAWAIIAN ISLANDS, November 23, A. D. 1899.

#### POLICY REGARDING NEW POSSESSIONS.

Mr. MORGAN. I submit an amendment to Senate joint resolution No. 45, and ask that it be read and printed and laid on the table.

The PRESIDENT pro tempore. Without objection, the Secretary will read the amendment.

The SECRETARY. Strike out all after the resolving clause in the joint resolution (S. R. 45) declaring the purpose of the United States with reference to the Philippine Islands, introduced by Mr. BACON on the 18th instant, and insert:

That in pursuance of section 4 of Article IV of the Constitution, the United States will guarantee to the people of Puerto Rico, Hawaii, the Philippine Islands, and all other States and peoples within its sovereign jurisdiction and control, a republican form of government, and will protect them against invasion.

The PRESIDENT pro tempore. The Senator from Alabama asks that the amendment may be printed and lie on the table subject to his call. Is there objection? The Chair hears none, and it is so ordered.

January 3, 1900  
Senate  
v. 33 (1)  
p. 628

The President pro tempore. The chair lays before the Senate a communication from the Secretary of State, transmitting copies of dispatches from the special agent of the United States at Honolulu, inclosing reports of decisions of the supreme court of Hawaii in the cases of Peacock & Co. vs. The Republic of Hawaii, Lovejoy & Co. vs. The Republic of Hawaii, The Republic of Hawaii vs. Edwards, and the Hawaiian Star Newspaper's Association vs. Saylor; all relating to the application of the Constitution of the United States to the Hawaiian Islands. The letter and accompanying papers will be referred to the Committee on Pacific Islands and Puerto Rico. Without objection, the decisions of the court will be printed. The reports accompanying the decisions will not be printed.

January 3, 1900  
Senate  
v. 33 (1)  
p. 630

Mr. Ross introduced a bill (S. 2000) regulating appointments to and removals from civil offices in outlying dependencies of the United States; which was read twice by its title, and referred to the Committee to Examine the Several Branches of the Civil Service.

January 3, 1900  
Senate  
v. 33 (1)  
p. 630

Mr. McMillan introduced a bill (S. 2011) to amend the act entitled "An Act to better define and regulate the rights of aliens to hold and own real estate in the Territories," approved March 2, 1897.

January 3, 1900  
House  
v. 33 (1)  
p. 636

Executive Communications, etc. A letter from the Secretary of State, transmitting copies of dispatches from the special agent of the United States at Honolulu, inclosing reports of decisions of the supreme court of Hawaii in certain cases involving the application of the Constitution of the United States to the Hawaiian Islands - to the Committee on the Territories, and ordered to be printed with all inclosures.

January 3, 1900  
House  
v. 33 (1)  
p. 638

By Grosvenor - a bill (H. R. 5065) to extend the laws relating to commerce, navigation, and merchant seamen over the Hawaii Islands ceded to the United States - to the Committee on the Merchant Marine and Fisheries.

January 4, 1900  
Senate  
v. 33 (1)  
p. 642

Mr. Elkins, from Committee on Commerce, to whom was referred the bill (S. 729) to extend the laws relating to commerce, navigation, and merchant seamen over the Hawaiian Islands ceded to the United States, reported it without amendment.

January 4, 1900  
Senate  
v. 33 (1)  
p. 643

Mr. CULLOM. I am directed by the Committee on Foreign Relations, to whom was referred the bill (S. 222) to provide a government for the Territory of Hawaii, to report it with amendments.

I desire to give notice that at the very first opportunity I can get I wish to call up the bill for consideration.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

January 4, 1900  
House  
v. 33 (1)  
p. 659

By Mr. Babcock: A bill (H. R. 5297) to amend the act entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the Territories," approved March 2, 1897 - to the Committee on the District of Columbia.

January 9, 1900  
Senate  
v. 33 (1)  
p. 701

Mr. Fairbanks introduced a bill (S. 2244) to extend the immigration, contract-labor, and Chinese exclusion laws of the United States to the Hawaiian Islands; which was read twice by its title, and referred to the Committee on Pacific Islands and Puerto Rico.

#### LAND SYSTEM OF HAWAIIAN ISLANDS.

January 10, 1900  
Senate  
v. 33 (1)  
p. 735

Mr. MORGAN. I wish to ask for the printing of a document prepared by the land agent of Hawaii, J. F. Brown, under the supervision of the officials of the government of Hawaii, which explains fully but still briefly the complicated land system of those islands. I ask that it be printed and lie over, inasmuch as the bill to which it relates is probably to be taken up very soon, and the committee, I think, have had great difficulty in understanding this question.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

January 10, 1900  
House  
v. 33 (1)  
p. 753

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 5297) to amend the act entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the Territories," approved March 2, 1897, reported the same with amendment, accompanied by a report (No. 30); which said bill and report were referred to the House Calendar.

January 12, 1900  
House  
v. 33 (1)  
p. 790

By Mr. Perea: also a bill (H. R. 6053) to amend an act entitled "An act to establish circuit courts of appeals, and define and regulate, in certain cases, the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891 - to the Committee on the Judiciary.

January 15, 1900  
Senate  
v. 33 (1)  
p. 801

Mr. Elkins also introduced a bill (S. 2439) to extend the laws relating to commerce, navigation, and merchant seamen over the Hawaiian Islands ceded to the United States; which was read twice by its title, and referred to the Committee on Commerce.

January 18, 1900  
House  
v. 33 (1)  
p. 971

By Mr. Graham: A bill (H. R. 6870) to extend laws enacted by Congress for the Territories to our new islands - to the Committee on Insular Affairs.

January 20, 1900  
House  
v. 33 (2)  
p. 1021

Executive Communications, etc. A letter from the Secretary of the Navy, recommending the transfer of the appropriation for the improvement of Pearl Harbor, Hawaii, to the jurisdiction of the Navy Department - to the Committee on Military Affairs, and ordered to be printed.

January 22, 1900  
Senate  
v. 33 (2)  
p. 1023

The President pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting information relative to the appropriation of \$100,000 for improving Pearl Harbor, Hawaii, in accordance with the report submitted by Rear-Admiral Walker, United States Navy, June 11, 1894, and suggesting the desirability of transferring that appropriation to the jurisdiction of the Navy Department; which was referred to the Committee on Commerce, and ordered to be printed.

January 23, 1900  
House  
v. 33 (2)  
p. 1106

By Mr. Knox: A bill (H. R. 7091) relating to Hawaiian silver coinage and silver certificates - to the Committee on the Territories.

January 24, 1900  
Senate  
v. 33 (2)  
p. 1112

#### GOVERNMENT OF HAWAII.

Mr. PLATT of Connecticut. I give notice of an amendment which I propose to offer to the bill (S. 232) to provide a government for the Territory of Hawaii. I ask that it may be read, printed, and, as the bill has been reported, lie on the table.

The amendment was read, and ordered to lie on the table, and to be printed, as follows:

Strike out section 95 and insert in lieu thereof as follows: "That until further legislation by Congress the existing customs relations of the Hawaiian Islands with the United States shall remain unchanged."

Also strike out the following:

"SEC. 87. That a delegate to the House of Representatives of the United States, to serve during each Congress, shall be elected by the voters qualified to vote for members of the house of representatives of the legislature. The times, places, and manner of holding elections shall be as fixed by law. The person having the greatest number of votes shall be declared by the governor duly elected, and a certificate shall be given accordingly."

January 25, 1900  
Senate  
v. 33 (2)  
p. 1154

Mr. Frye (Mr. Kean in the chair), from the Committee on Commerce, to whom the subject was referred, reported a bill (S. 2708) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved March 3, 1899; which was read twice by its title.



January 29, 1900  
Senate  
v. 33 (2)  
p. 1250

Mr. Clark of Wyoming introduced a joint resolution (S. R. 76) withdrawing certain lands on the island of Oahu, Hawaii, from the public domain; which was read twice by its title, and referred to the Committee on Public Lands

January 31, 1900  
Senate  
v. 33 (2)  
p. 1327

AMENDMENTS TO BILLS.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (S. 222) to provide government for the Territory of Hawaii; which was ordered to lie on the table and be printed.

February 5, 1900  
Senate  
v. 33 (2)  
p. 1487-1488

LANDS ON THE ISLAND OF OAHU, HAWAII.

Mr. CLARK of Wyoming. I am directed by the Committee on Public Lands, to whom was referred the joint resolution (S. R. 76) withdrawing certain lands on the island of Oahu, Hawaii, from the public domain, to report it favorably, and I ask for its immediate consideration.

The PRESIDENT pro tempore. The joint resolution will be read for information.

The Secretary read the joint resolution.

Mr. FORAKER. I understand that a joint resolution in regard to certain lands on the island of Oahu, Hawaii, has been reported from the Committee on Public Lands. I was not aware there was any such resolution pending before the Senate.

The PRESIDENT pro tempore. It is a report from the Committee on Public Lands.

Mr. FORAKER. When was that joint resolution introduced?

Mr. CLARK of Wyoming. It was introduced something like a week ago, when it was referred to the Committee on Public Lands, and it has been unanimously reported from that committee. It is with reference to the withdrawal from the public lands of the royal mausoleum, containing something like 120,000 square feet in the outskirts of Honolulu.

Mr. FORAKER. I must certainly have been absent from the Senate when that joint resolution was introduced and referred to the Committee on Public Lands. As chairman of the Committee on Pacific Islands and Puerto Rico, I shall insist that all matters affecting those islands shall be referred to the committee having control of that subject.

Mr. CLARK of Wyoming. Certainly the Senator from Ohio will see the justice of having referred this matter to the Committee on Public Lands, when by resolution and a proclamation of the President the public lands of Hawaii have been taken over to the United States. It seems to me that there is but one committee to which that joint resolution and that subject should have gone. It certainly was not such a reference of the joint resolution as could properly have been objected to, I think.

Mr. FORAKER. It may be as the Senator from Wyoming says; I have no doubt it is; but I did not happen to be present when the joint resolution was introduced and was not aware that any such resolution had been introduced or any such reference had been made.

I only want to say, as chairman of that committee, that everything affecting those islands the Committee on Pacific Islands and Puerto Rico will feel inclined to claim should be referred to it. If everything affecting the public lands in those islands is to go to the Committee on Public Lands, if everything referring to finance is to go to the Finance Committee, and everything referring to navigation is to go to the Committee on Commerce, we might as well dispense with the Committee on Pacific Islands and Puerto Rico. We shall claim the reference of everything of this character, in the first instance, to that committee.

Mr. CLARK of Wyoming. I had no thought of discourtesy to the Senator or to the Committee on Pacific Islands and Puerto Rico.

Mr. FORAKER. I am sure of that. I am not disposed to make any question on this joint resolution; but, as I have already said,

I want to serve notice that our committee will make claim to everything connected with those islands in the way of legislation that may be brought before the Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. ALLEN. I object. I think morning business ought to be transacted before anything else is taken up.

GOVERNMENT FOR HAWAII.

February 6, 1900  
Senate  
v. 33 (2)  
p. 1559

The bill (S. 222) to provide a government for the Territory of Hawaii was announced as next in order.

Mr. COCKRELL. Let that be passed over. There is no need of wasting time in debating that now.

The PRESIDENT pro tempore. The bill will be passed over.

LANDS ON OAHU ISLAND, HAWAII.

February 8, 1900  
Senate  
v. 33 (2)  
p. 1648

Mr. CLARK of Wyoming. Some days ago I asked unanimous consent for the present consideration of the joint resolution (S. R. 76) withdrawing certain lands on the island of Oahu, Hawaii, from the public domain, which I then reported from the Committee on Public Lands. I see that both of the Senators who had some questions about it on that day are present to-day, and I again ask for its present consideration. I deem it a matter of sufficient importance to make the request.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent for the present consideration of the joint resolution indicated by him. Is there objection?

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

The PRESIDENT pro tempore. The joint resolution has heretofore been read.

Mr. SPOONER. I should like to ask the Senator to explain in a word, if he can, what the object of the bill is?

Mr. CLARK of Wyoming. It is simply this: There is a tract of probably a hundred and twenty thousand square feet of land in the suburbs of Honolulu which has been for many years dedicated to the purposes of a royal mausoleum. It has upon it buildings built by the Hawaiian government, and the people there are very solicitous lest it shall become a part of the public domain of the United States and either be divided up or let out for show purposes. It may be a mere sentiment on their part, but they are very solicitous about it, and on my visit to the island I was asked to take up the matter—and I do so in this manner—to withdraw it from the public domain.

Mr. FORAKER. The Senator from Wisconsin asked one of the questions I wanted to ask. There is another he did not ask, and it is one which has not yet been answered. There are about 120,000 square feet. Can the Senator tell us whether it is all occupied or all in use? That is a considerable tract of ground for the royal family alone to have for burial purposes.

Mr. CLARK of Wyoming. It is not so very large when you come to consider the dimensions. I think perhaps it is 250 feet on the street, extending backward so as to contain in all about 120,000 feet. There are upon that ground one or two buildings, one a building for the caretaker of the grounds, the other a mausoleum, a Gothic building of stone, and one or two subterranean vaults. The land is all needed for the purpose for which it has been reserved, and is all properly cared for and set out in walks, with trees, etc.

Mr. COCKRELL. What is the depth of it?

Mr. CLARK of Wyoming. The Senator's arithmetic will tell him. I should say it is 250 feet in front. The dimensions are all given in the joint resolution. That would make it—

Mr. COCKRELL. I did not hear the joint resolution read. In fact, it has not been read to-day.

Mr. CLARK of Wyoming. There are 120,000 square feet, and I think it is not more than 250 feet in front, extending back—

Mr. COCKRELL. Is there anything more than a reasonable space around the mausoleum and the buildings?

Mr. CLARK of Wyoming. I think it is only a reasonable space.

Mr. SPOONER. Will the Senator allow me to inquire what was the condition of the title before the annexation of the islands by Congress?

Mr. CLARK of Wyoming. It was public land.

Mr. FORAKER. Was not this a part of the Crown land?

Mr. CLARK of Wyoming. No; it was a part of the public land.

Mr. FORAKER. It was part of the land set aside originally for the government.

Mr. CLARK of Wyoming. For the government.

Mr. FORAKER. I understand that originally the public domain was divided into three classes.

Mr. CLARK of Wyoming. Three classes—the government one-third, the Crown one-third, and individuals one-third.

Mr. FORAKER. One-third for the government, one-third for the Crown, and one-third for the people.

Mr. CLARK of Wyoming. This belonged to the public lands, and was taken over by our Government the same as the Crown lands.

Mr. GALLINGER. There is one matter which troubles me, and probably the Senator from Wyoming can readily explain it.

This relates to a mausoleum for the royal family of Hawaii, and the bill provides that the land "shall \* \* \* be forever reserved for the purpose to which the said lands have been heretofore dedicated." I presume we are not going to have a royal family of Hawaii continued in that possession which now belongs to the United States?

Mr. SPOONER. The Senator from New Hampshire would not be unwilling to allow those who are of the royal family to be buried where their kindred are buried?

Mr. GALLINGER. Certainly not; but they would hardly want 25 or 30 acres for that purpose.

Mr. CLARK of Wyoming. Oh, there are probably not over 5 or 6 acres.

Mr. GALLINGER. I have not figured it out.

Mr. TELLER. There are about 2½ acres.

Mr. COCKRELL. Why make a dedication of it now? I move to strike out all that part of the bill which dedicates it.

Mr. CLARK of Wyoming. There is no part at all that dedicates it. The land is simply withdrawn from the public domain, so that a constituent of the Senator from Missouri or a constituent of mine from Wyoming can not go in and file on it for a homestead whenever the public-land laws are extended over it.

Mr. TELLER. I should like to ask the Senator from Wyoming if this land was not dedicated by the existing government for that purpose?

Mr. CLARK of Wyoming. Nothing has ever been done by the existing government in regard to it. I will say to the Senator that it has been kept up by private enterprise.

Mr. TELLER. There are less than 2½ acres, as I understand from the statement; somewhere in that neighborhood.

Mr. CLARK of Wyoming. The Senator from New Hampshire is figuring it out.

Mr. TELLER. It is less than 3 acres, anyway.

Mr. CLARK of Wyoming. It is very small, but it is one of those matters of sentiment which I think ought to prevail.

Mr. TELLER. There are less than 3 acres.

Mr. GALLINGER. That is right.

Mr. COCKRELL. I have no objection to reserving the land from sale, but I object to dedicating it and keeping a guard at the tomb.

Mr. CLARK of Wyoming. The bill does not do that.

Mr. TELLER. Does this bill do any more than allow the President to withdraw the land?

Mr. CLARK of Wyoming. The bill simply withdraws the land from public sale under the land laws.

Mr. SPOONER. It does provide for withdrawing the land forever.

Mr. CLARK of Wyoming. Yes, sir.

Mr. FORAKER. Let the joint resolution be reported.

Mr. COCKRELL. Let it be again read.

The PRESIDENT pro tempore. The joint resolution will be read.

The Secretary proceeded to read the joint resolution.

Mr. FORAKER. Pass over the description.

Mr. CLARK of Wyoming. I will say to the Senator from Ohio that this description is taken from the official records.

Mr. FORAKER. We assume that it is right.

The Secretary read as follows:

Area, 119,610 square feet, be withdrawn from sale, lease, or other disposition under the public-land laws of the United States, and that said lands shall, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, be forever reserved for the purpose to which the said lands have been heretofore dedicated and for which they have been heretofore used.

Mr. FORAKER. Is it sufficient to answer the purpose of the Senator to simply withdraw the land from sale or lease?

Mr. CULLOM. Strike out the word "forever."

Mr. COCKRELL. In pursuance of that suggestion, I move to strike out, in line 15, all after the words "United States;" so that the land will be "withdrawn from sale, lease, or other disposition under the public-land laws of the United States."

Mr. CLARK of Wyoming. I do not think the portion proposed to be stricken out is material. I am satisfied with that amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In line 15 it is proposed to strike out:

And that said lands shall, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, be forever reserved for the purpose to which the said lands have been heretofore dedicated and for which they have been heretofore used.

The amendment was agreed to.

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

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