control of the Hawaiian government, so as to compel the lands to be leased from this time forward forever. The land cannot be devoted to homestead settlement at all.

Mr. CLARK of Wyoming. I do not suppose the Senator understands that any of the land that is now under lease is subject to lease by anyone.

Mr. MORGAN. I do. As fast as the leases expire the land is subject to homestead entry.

Mr. CLARK of Wyoming. But not so long as the land is under lease.

Mr. MORGAN. Many of the leases have expired or are expiring.

Mr. CLARK of Wyoming. If the Senator will remember and look at his data, he will find that very few leases will expire during the term of five years mentioned in the amendment.

Mr. MORGAN. My impression is that quite a number of the leases have expired or are expiring. What is the use of having the Government of the United States set apart those lands as a fund to reimburse this $230,000 and take them out of the land system in Hawaii, entirely out of the public domain? We have dedicated those lands by the act of annexation to the use of the people of Hawaii, not to the use of Liliuokalani, nor to the use of the United States.

Mr. BACON. Will the Senator permit me just a moment?

Mr. MORGAN. Yes.

Mr. BACON. The proviso expressly limits this to a charge upon the revenues from those lands especially and those which have been disposed of, and therefore that it is to a decretal act, then let us do it without reservation and without embarrassing the land system of Hawaii in order to get the measure through the Senate.

Mr. MORGAN. There is no use for it and no need for it. It is a sort of a gift—give it and take it back. If we are going to do the same thing with it, either by annexation to the United States or by a decretal act, then let us do it without reservation and without giving the Hawaiian land system an order and a bill.

The President pro tempore. The question is on the amendment which has just been read.

Mr. CULBERSON. May I ask the Senator, by his leave, a question?

Mr. MORGAN. Certainly.

Mr. CULBERSON. Is it the case that the Senator does not think that this whole subject of what should be paid to the Queen, if anything, should be the result of a special investigation, and that we should then act with all the light possible before us?

Mr. MORGAN. I ought to be subject to a separate bill. The commission was appointed to decide on this question at least as a claim against Hawaii or the Government of the United States. It has not been presented either to the commission or to the Senate.

Mr. CLARK of Wyoming. The bill as prepared and reported absolutely cuts off any possibility of action in that regard.

Mr. MORGAN. I will interpret it in a moment. The Government of the United States took over the title of those lands in Hawaii, up and of the lands by the title of the people of Hawaii, acting merely as a conduit or trustee for the purpose of holding title for the benefit of those people. In doing that, the commission and the committee were afraid that the Government of the United States might have thrust upon it a liability or incumbrance claimed by Liliuokalani, and therefore cut it off so far as this Government is concerned, without reaching her right, whatever that might be. The only provision of the bill on the subject is that this Government does not assume, and will not assume, any claim of trust or obligation resting upon public domain that we got from the Hawaiians; which was just, proper, and necessary.

I know what has been said about this thing very frequently. Men have been here for a year or two years; have been here almost all the time. They came here before annexation took place with powers of attorney, coupled with an interest, to have this claim settled, and it has been threatened, but lawyers have not yet been found who find the tendency to bring the suits against the republic of Hawaii. This claim ought at least to have gone before the Committee on Foreign Relations on the part of the Senator who now offers it, who is a member of that committee. That committee has never had an opportunity of passing on it, and it is queer that it should be ignored. I would vote against it, or I would move it to the table; but for one reason. I am willing that the Government of the United States shall exercise whatever generosity it chooses to do toward Liliuokalani for the purpose of healing up the scars and wounds which have been inflicted by the annexation of Hawaii upon Senators on this floor. That is the object.

Mr. CLARK of Wyoming. Mr. President.

The President pro tempore. The hour of 4 o'clock has arrived; and, under the unanimous-consent agreement made yesterday, the amendments and the bill are now to be voted upon without debate.

Mr. MORGAN. I call for the yeas and nays.

The President pro tempore. The Senator from Alabama [Mr. MORGAN] moves to strike out the proviso; and on that motion he calls for the yeas and nays.

Mr. CULBERSON. The proviso to which?

The President pro tempore. The proviso to the amendment offered by the Senator from Wyoming [Mr. CLARK].

Mr. CLAY. Is it the proviso to the amendment offered by my colleague, the Senator from Georgia [Mr. BACON]?

The President pro tempore. It is the proviso which was offered by the Senator from Wyoming [Mr. CLARK] to his amendment.

Mr. CLAY. I understand.

Mr. GALLINGER. I move to lay the entire amendment on the table, Mr. President.

The President pro tempore. The question is on the motion of the Senator from New Hampshire [Mr. GALLINGER], to lay the amendment and the proposed amendment to it on the table.

The motion was agreed to.

Mr. PLATT of Connecticut. I offer as a new section the amendment which I sent to the desk.

The President pro tempore. The amendment will be stated.

The Secretary. It is proposed to insert as a new section, to precede the last section of the bill, the following:

Nothing contained in this act shall be construed, taken, or held to imply a pledge or promise that the Territory of Hawaii will at any future time be admitted as a State, or attached to any State.

The President pro tempore. Debate is not in order.

Mr. CHILTON. It is not in order?

The President pro tempore. It is not, under the agreement made yesterday.

Mr. CULBERSON. Excuse me; I was not aware of that.

Mr. MORGAN. If the amendment is not debatable, I make the point of order that it was not pending at 4 o'clock.

Mr. CULBERSON. It was pending.

Mr. MORGAN. No, sir; it was not then offered in the Senate, The President pro tempore. Under the peculiar wording of the unanimous-consent agreement, the Chair would hardly feel authorized to rule that the amendment could not be offered now.

Mr. MORGAN. If it is offered now, it ought to be debated.

The President pro tempore. As the agreement appears in the Record it does not say "and amendments then pending"; but says "to-morrow at 4 o'clock the Senate will proceed to vote upon the amendment and the bill." Mr. MORGAN. That, of course, means pending amendments.

Mr. CULBERSON. And without debate.

The President pro tempore. It does not say "on amendments then pending," which is the usual way in arrangements of this kind.

Mr. MORGAN. Well, Mr. President.

The President pro tempore. The question is on the amendment submitted by the Senator from Connecticut [Mr. PLATT].

Mr. CHILTON, Mr. STEWART, and others called for the yeas and nays.

The yeas and nays were ordered.

Mr. PETTUS. Mr. President, I move to amend the amendment by inserting, after the word "will," the words "or will not;" so as to read:

Nothing contained in this act shall be construed, taken, or held to imply a pledge or promise that the Territory of Hawaii will or will not at any future time be admitted as a State, or attached to any State.

Mr. HOAR. That is not in order.

The President pro tempore. The question is on the amendment submitted by the Senator from Alabama [Mr. PETTUS] to the amendment of the Senator from Connecticut [Mr. PLATT].

Mr. PLATT of Connecticut. Let the amendment be stated from the desk.

Mr. HOAR. Mr. President, I rise to a point of order. I came in when the Chair was announcing his ruling. Did the Chair announce that he should hold that no new amendment is in order? The President pro tempore. The Chair did not.

Mr. HOAR. What was the Chair's ruling?

The President pro tempore. The amendment is in peculiar wording. It is not as usual in unanimous-consent agreements,