Mr. HANSBROUGH. I offer an amendment to come in after the word "lands," in line 6, page 33, of the new print.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. After the word "provisions," in line 6, page 33, insert:

including the selling, granting, leasing, or other disposition of the public domain and its appurtenances, franchises concerning the same granted by the Hawaiian government prior to the 11th day of September, 1898, and subsequent to the date of the aforesaid proclamation.

The amendment was agreed to.

Mr. HANSBROUGH. I move to strike out on page 33 of the new print of the bill all that portion appearing in italics, or, in other words, the committee amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to strike out on page 33, line 2, after the word "provisions," in line 6, page 33, insert:

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

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that the amendment hitherto adopted by be stricken out.

Mr. CULLOM. Mr. President, I wish to say just one word. This matter of the exact legislation that ought to be enacted in connection with these lands over there is very important to those people. I desire to say that I have been trying to-day to get a definite statement from the Interior Department. I have not yet received it.

I will consent to the adoption of the amendment offered by the Senator from North Dakota with the understanding that when this bill gets into conference I desire to be tolerably careful in determining the exact language to be used, and if I find on consultation with the Secretary of the Interior and the Commissioner of the General Land Office that a different phrase or different provision should be enacted, I will take the liberty of trying to change it the best I can. I want to be perfectly frank with the Senator from North Dakota and with the Senate.

Mr. TELLER. May I interrupt the Senator from Illinois?

Mr. CULLOM. Certainly.

Mr. TELLER. I suggest, then, if the Senator wants to reserve that right, that he had better prepare some amendment here—something that will allow it to be amended in conference by striking out some part.

Mr. CULLOM. The amendment of the Senator from North Dakota proposes to strike out the amendment which the Senate has adopted, and that gives us the liberty to change it.

Mr. CULLOM. Let me say this: I do not want to leave the amendment in.

Mr. GALLINGER. If the amendment is left in, it may be changed. If it goes out, there will be nothing for the conference to act upon.

Mr. TELLER. Put in something there to hang the amendment on.

Mr. CULLOM. Then I hope the Senator from North Dakota will allow the amendment to remain. I want to say to him that I wish to do exactly what is best for those people and for the Land Office of the United States. Whatever is the best policy to pursue to protect the lands, and at the same time not tie up those people longer there for a year or two, I should be glad to adopt. I do not want, however, to adopt a policy with reference to those lands that will result in their not being able to settle upon those lands or lease those lands or take homesteads or anything else until this session has gone by and a commissioner has gone over and investigated and reported to some future Congress, because it would be better to have the state pay in that case before they would be able to do anything. I want to avoid that if I can consistently with the best interests of the people there.

Mr. HANSBROUGH. Mr. President, we have just adopted an amendment to the bill which covers the language contained in this conference, and I understand the Secretary of the Interior to investigate, by a special agent or otherwise, as he may see fit, the leasing, the selling, or other disposition of the public domain in Hawaii.

Now, then, if we empower the Secretary of the Interior to make an investigation we certainly do not want to confirm the very things that have been done by the government of Hawaii that caused the President of the United States to issue a proclamation on the 11th day of September of last year. I think in this connection that proclamation should be included in the RECORD. I will see to it that it is. It may be of guidance to the committee of conference hereafter.

Mr. ALLISON. I ask the Senator from North Dakota to yield to me for a moment.

Mr. CULLOM. Mr. President, the Senator from Iowa is right. I wish to suggest to the Senator from Illinois having charge of the bill that as respects conferences on any provision in the bill there can be no conference if the House agree to

the phraseology as now inserted in the Senate, because this is a Senate bill. If they pass the bill without amendment, it becomes a law. If they do not change this section, I do not see very many conferences respecting differences between the two Houses can reach the section. So I think it is rather important to put the section in proper shape now.

Mr. CULLOM. Of course if the House agrees to what the Senator from Iowa says, that is the Senate amendment.

Mr. ALLISON. When the amendment of the Senator from North Dakota is adopted here, it goes to the House as a part of the text of the bill, and the House will look at the whole text and make some changes then.

Mr. HANSBROUGH. I propose to strike out the committee amendment.

Mr. CULLOM. I think the Senator from Iowa understands, the Senate having inserted the same language in another part of the bill.

Mr. ALLISON. I agree it is wise to do that; for if the Senate did not do it, there would be two provisions having precisely the same effect in one sentence.

Mr. HANSBROUGH. That is just what I am trying to obviate. Mr. CULLOM. Will the Senator from North Dakota allow me to interrupt him?

Mr. HANSBROUGH. Certainly.

Mr. CULLOM. My desire is that the bill shall be so formed, so far as is consistent with the question and the interests of the Senate, as to be nearly in harmony with the judgment of our Land Office here as we can get it. I would be very glad if this could remain a little while undisposed of, until I see whether in the course of half an hour or so I do not hear from the Commissioner of the General Land Office. I do not think it fair to tie us all up over there so that it shall be after this session is over, and some time during the next, a year from now, before we get anything at all done in dealing with the lands there. I think the Senator ought to allow either the Senate bill to stand as we have it, or so consent to the bill as that it will not now the whole substance into the hands of the Secretary of the Interior to be disposed of a year and a half hence before they can be prepared to do anything at all.

Mr. HANSBROUGH. I do not believe that the effect of the amendment which I have proposed, and of one other that I hope to be able to propose, will be as the Senator from Illinois fears it will.

The PRESIDENT pro tempore. Is there objection to striking out the amendment of the committee on page 33?

Mr. HANSBROUGH. I hope that the proclamation of the President will be read.

Mr. ALLISON. Let it go in the RECORD without being read.

Mr. HANSBROUGH. It is brief and I want to have it read.

The PRESIDENT pro tempore. The proclamation will be read.

The Secretary read as follows:

[Hawaii—Public lands.]

By the President of the United States of America. Executive order.

The President of the United States hereby directs that all proceedings taken or pending for the sale or disposition of the public lands in the Hawaiian Islands, now the subject of discussion, and all sales or transfers hereafter made of any public lands have been made since the adoption of the resolution of annexation, the purchasers shall be notified that the same are null and void and no consideration paid to the local authorities on account thereof shall be returned.

In witness whereof I have caused the seal of the United States to be hereunto affixed at Washington, September 11, 1898.

WILLIAM MCKINLEY.

By the President:

ADVEY A. ADEK,
Acting Secretary of State.

Mr. HANSBROUGH. The President of the United States certainly had some good reason, I think, in the proclamation only inserting the word "island" in the 11th line of land up beside the mountains on the Hawaiian Islands. Those transactions are held up by this proclamation of the President. The House committee, if I may be allowed to refer to the House, went over all the transactions that had taken place between the dates referred to by the President, and inserted a provision excluding all transactions which had taken place.

Now, I do not know whether it is right or not, but I do not want the bill to get in such shape as that, because of that holding up the part of the President, we shall hold up all the transactions for the next year and a half, so that they can do nothing in the land, give homesteads, or anything else, until we hear from the Secretary of the Interior, and afterwards act on the subject by Congress itself at a future session.