Mr. HANSBROUGH. I do not believe that the amendment has the effect ascribed to it by the Senator from Illinois.

Mr. TELLER. I should like to suggest to the Senator from Illinois that he can accomplish what he wants by providing that the executive department may ratify these transactions if they find them to be proper. Mr. CULLOM. I am willing that that sort of an amendment should be made. Mr. TELLER. I think that might be done without any danger. Mr. HANSBROUGH. I have no objection to that modification.

Mr. STEWART. Let the amendment be read again.

Mr. HANSBROUGH. Now, it is suggested that the President of the United States be given authority, if in his discretion he thinks it is a proper thing to do, to ratify and confirm these sales, etc., and I am willing to accept that.

Mr. CULLOM. And any future ones that may be made under his direction or permission.

Mr. HANSBROUGH. I am perfectly willing to give him that authority.

Mr. CULLOM. That will give those people an opportunity to live and do business. That is all I am trying to secure.

The PRESIDENT pro tempore. There is really no motion pending. The Senator from North Dakota asks unanimous consent that an amendment to the other day adopted by the Senate in a Committee of the Whole might be rejected.

Mr. HALE. He asked a vote on it.

Mr. CULLOM. I have no objection to that amendment going out, provided I can get an addition to the amendment proposed by the Senator from North Dakota, that we acted upon a while ago, that the President of the United States shall have the power of doing that.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Dakota? The Chair hears none, and the amendment goes out.

Mr. CULLOM (to Mr. HANSBROUGH). Now offer your other amendment.

Mr. HANSBROUGH. Now I propose the amendment in this form:

That all sales, grants, leases, and other disposition of the public domain and all lands granted by the United States to the Hawaiian government in conformity with the laws of Hawaii prior to the termination of the laws, December 31, 1898, may be ratified and confirmed by the President of the United States.

Will that answer the purpose of the Senator from Illinois?

Mr. CULLOM. As far as it goes; but if you will add now that any future transactions in any real estate by the Land Office or whoever has the authority to trade the lands there shall be subject to the approval or disapproval of the President, I would have no objection to that.

Mr. SPOONER. Will the Senator from Illinois allow me?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Wisconsin?

Mr. CULLOM. I yield to the Senator from Wisconsin always.

Mr. SPOONER. The jurisdiction to dispose of the public domain is in Congress, not in the President.

Mr. CULLOM. That is true.

Mr. SPOONER. I doubt the power of Congress to delegate that power to the President. I suggest to the Senator whether his purpose would not be accomplished, so far as past sales and grants are concerned, by inserting after the word "that" the words "subject to the approval of the President."

Mr. CULLOM. We will put it the same thing.

Mr. SPOONER. No; not as to the future, but as to past transactions. It will read, "That, subject to the approval of the President of the United States, all sales, grants, leases, etc., are hereby ratified and confirmed."

Mr. HANSBROUGH. I think that covers it. I will accept that.

Mr. SPOONER. As to the future, that raises a different question.

Mr. HANSBROUGH. I accept the modification proposed by the Senator from Wisconsin.

The PRESIDENT pro tempore. The amendment as modified will be read to the Senate.

Mr. CROCKETT. Let us have the page and all.

Mr. SPOONER. I move, if the Senator will permit me?

Mr. HANSBROUGH. Certainly.

Mr. SPOONER. I move, by inserting on page 33 of the new print, line 2, after the word "That," the words "subject to the approval of the President."

Mr. CULLOM. That paragraph has gone out.

Mr. PLATT of Connecticut. You want to put it back?

Mr. CULLOM. Do not let it go out.

Mr. CULLOM. We will put it back, then.

Mr. CROCKETT. On what page is it?

Mr. SPOONER. On page 33 of the new print.

The PRESIDENT pro tempore. That amendment just went out by unanimous consent.

Mr. CULLOM. I hope it will go back by unanimous consent.

The PRESIDENT pro tempore. Shall it go back by unanimous consent? The Chair hears no objection, and it is back.

Mr. SPOONER. Now I move to insert after the word "That," the words "subject to the approval of the President."

Mr. CROCKETT. What line?

Mr. CULLOM. Page 33, of the new print.

Mr. CULLOM. At the top of the page.

The PRESIDENT pro tempore. The Senator from Wisconsin moves an amendment, which will be read.

The SECRETARY. Line 2, page 33, after the word "That," insertion, to the effect that the President shall have power of doing that.

The PRESIDENT pro tempore. Without objection, it is agreed to.

Mr. CULLOM. Now, I think—

Mr. HANSBROUGH. I desire to offer another amendment.

Mr. SPOONER. Mr. CULLOM wishes to strike out, in line 19, page 33, the words "granted, sold, or," so that it will read:

And no lease of agricultural land shall be renewed by the government of the Territory of Hawaii for a longer period than five years, until Congress shall otherwise direct.

Mr. HANSBROUGH. I wish to call the attention of the Senator to section 101, which, it seems to me, conveys all the crown lands to the Government of Hawaii, taking the title entirely out of the hands of the Government of the United States. I may be wrong in my reading of the section, but I call the attention of the lawyers about me to that section. I think it ought to be changed.

Mr. CULLOM. I have no objection.

Mr. FORAKER. I think that has reference to the provision in the joint resolution of annexation, and that, according to that provision to which I have referred, the title to all the lands belonging to the Hawaiian crown is to pass to the United States. This declaration is simply to satisfy that requirement of the annexation act.

Mr. HANSBROUGH. The provision of the joint resolution to which the Senator from Ohio refers is as follows:

The existing property of the United States in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition.

It seems to me, by the section in the bill to which I have referred, to grant all the crown lands to the government of Hawaii.

Mr. MORGAN. Mr. President, the manner in which this bill has been mommicked and chewed up here this morning, by the consent of the chairman of the committee, satisfies me that I have no longer any particular interest in it or that I have any particular knowledge of its provisions. We put in the proviso and the next consideration of the facts on which they are based; and the amendment suggested now is entirely misunderstood, and, if I have caught correctly the remarks of the Senator who offered it, the text of the bill itself is misunderstood.

SEC. 101. That the portion of the public domain heretofore known as crown land is hereby declared to have been on the 12th day of August, 1898, and prior thereto, the property of the Hawaiian government.

On the 12th day of August, 1898, the annexation was completed, and it then became the property of the United States. The county of Kauai, certain lawsuits threatened by the Hawaiian government—pending—of the most important character and otherwise of the crown of Hawaii, set up in antagonism or in opposition to the title of the United States. The object of this statute was to declare that in respect of those lands they were on the 12th day of August, 1898, and prior thereto, the lands and property of the Hawaiian government, and after that became the lands and property of the government of the United States, and then the bill proceeds to say—and to be free and clear from any trust or of concerning the same, and from all claim of any nature whatsoever of any kind, in the nature of trust or otherwise, issued therefrom by the Hawaiian government.

Mr. HALE. Where does the Senator get the warrant, in reading his interpolation of the words "Hawaiian government, and thereafter to be the property of the United States." That is not in this bill.

Mr. MORGAN. That is in the act of annexation.

Mr. ALA. The Senator was going to ask the Senator if the act of annexation—if the Senator has that—will show how by the treaty or act of annexation those lands were effectually placed in control of the United States, whether the disposition would only operate as clearing them from trusts and agreements? Has the Senator that provision?