of the United States. I think, if there is no other thing, that that single provision ought to be sufficient to induce the Senate to send the report back to the conference committee in order that it may be corrected.

Mr. CULLOM. My judgment is that it is a tolerable salutary provision for that Territory for a while; if not always, and I hope it will be corrected.

Mr. TILLMAN. I notice that accompanying the same provision there is no interference with existing or vested rights, and therefore the question arises at once whether or not there are not now corporations which hold in excess, and a good many of them, the privilege of growing sugar cane, which, in some instances, of which we have heard so much, will thereby, under this provision, have a monopoly, so to speak, of the right of having enough capital, for instance, to organize a sugar factory. We know that unless there is something like a thousand acres or more than that taxing to a large sugar mill it can not run; and would not the effect of this or any other clause of the sugar bill which we have discussed be to encourage in this State the growing of sugar cane which will be placed in sugar to be tributary to them by reason of the fact that no other corporations could organize? There must be some hidden purpose here. I am not now insinuating that the Senator from Illinois is cognizant of it or in any way mixed up in it, but the fact is that the power to get possession of land is put in here.

Mr. CULLOM. If the Senator wants to find out how it got in here, he will have to go to the House of Representatives.

Mr. TILLMAN. It was put in in the House, and the Senator said he thought possibly it was a salutary one. I threw out the suggestion that it would be better to strike out the whole provision. If the Senator will pardon me, it says the Governor shall, upon the adjournment of the legislature, call an extra session.

Mr. BACON. I understand, but it does not state within what time it shall be convened. He might put it off ten months.

Mr. JONES of Arkansas. Upon the adjournment of the legislature, I should think means immediately.

Mr. SPOONER. Yes.

Mr. TILLMAN. What about the situation in Pennsylvania?

Mr. BACON. Very well, if it will be so construed.

Mr. JONES. I think, while that is not a usual provision in legislation yet after considerable conference and discussion the Senate conferees agreed to it, believing that if it did not turn out to be satisfactory and work well it could be repealed hereafter.

Section 55 contains an amendment made by the House and agreed to by the Senate, which is to strike out the word “or” and insert “and;” so that it will read:

That no corporation, domestic or foreign, shall acquire and hold real estate, etc.

Mr. BACON. It seems to me that this is an exceedingly drastic amendment. I think the limitation of the number of acres a corporation may hold is all right. We have a similar law in my own State. I do not think the whole title shall pass to a corporation it shall immediately escheat to the Government of the United States, it seems to me, is an extremely rigid provision. There ought to be rather than that some provision by which the court could distribute the property or administer the property in the interest of those justly entitled to it. But it ought not to say that if, by any means, title shall vest in a corporation—

Mr. SPOONER. It may take it in payment of debts.

Mr. BACON. Certainly. There are a number of ways in which a corporation may come into title, legal or equitable, to property, and to say that it shall be immediately forfeited—I do not know that there is any parallel to such a provision in any law, State or Federal. I certainly have never heard of one.

Mr. CULLOM. The Senate knows and the country knows that the sugar cane which is being grown in the island of Hawaii is grown free from it anywhere else in this country—is for corporations to accumulate immense tracts of land and prevent the ordinary citizen or newcomer from getting a footing at all in real estate; and the purpose of this was to stop that if we could.

Mr. BACON. Mr. CULLOM. I think your purpose is a good one.

Mr. CULLOM. *And let the people get homesteads and tracts of land to cultivate, and for other purposes.

Mr. BACON. I think it is entirely proper to stop it, but the question is whether the remedy is a proper one. It would be very well to let the courts say what shall become of the property. Of course, if the corporations were not in it, and legal proceedings were not had to prevent a corporation from holding it, the courts would distribute the property necessary to those who are entitled to it. They would administer it in the interest of those who are entitled to it. But here is an argument that if a corporation ever does acquire such title, it shall immediately, without any possibility of appeal or redress of any kind, be forfeited, and escheat to the Government