Mr. CULLOM. You may do that, and compel them to sell; but it seems to me there is no occasion for it.

Mr. JONES of Arkansas. Then there is no occasion for preventing any other corporations from holding any more than that hereafter.

Mr. CULLOM. Let me say that most of the corporations existing now have already acquired large tracts of land. In the interest of the production of sugar, they have been compelled to expend very large amounts of money, and if they had not done so the sugar plantations which they have established would not have been made at all, because otherwise they could not do it. I now oppose it for another reason. The sugar lands and sugar cultivation begin at the foot of the hills, and they go up the hill as far as they can get water on the land—on the island of Hawaii, for instance.

At one time they supposed that they had got as high up the hills as they could go, because they could not get water, but it turned out finally that they could erect pumping works, which cost hundreds of thousands of dollars, and I do not know but that some of them cost millions of dollars, by which they throw the water up the hill say 500 feet more, and that makes an additional amount of land which becomes good sugar land. Such corporations exist there where they had to have water, and I do not think it is fair to them to try to take those vested rights away.

Mr. TILLMAN. I agree with the Senator from Illinois that it would not be fair to try to take those vested rights away, but I do not see why we should limit it and prevent new capital from going in and pumping water up other slopes elsewhere, unless the people of the State have not been organized.

Mr. CULLOM. The House passed the bill, and it seems to me it is plain what was desired. The Senate conferences believed that the bill as passed by the House, and agreed to by the House, was in the best interest of the people, and finally agreed to the House amendment. That is all I can say about it, and I think it will work to the advantage of the people out there, stopping the abuse as well as we can under the general law.

The remarks of the Senator from South Dakota that the lands are all already owned, and that is exactly true.

Mr. PETTIGREW. It is practically true.

Mr. CULLOM. If it is true, as he says, this does not amount to anything.

Mr. PETTIGREW. No.

Mr. TILLMAN. If it had not been true, this provision would not have been put in the House.

Mr. CULLOM. I suppose not.

Mr. JONES of Arkansas. It does seem to me that this sort of legislation is absolutely indefensible. I do not see why you should undertake to make a rule applicable to people who may enter into this business that is not applicable to those already engaged in it.

Mr. CULLOM. The next is section 56. There is a slight amendment in it.

Mr. PETTUS. Before the Senator passes from this section, I wish to ask him a question. I see an amendment in this section—

Mr. CULLOM. It is in the copy.

Mr. CULLOM. If the Senator will allow me, I will read just what this amendment that provision is. The words are: "nor shall saloons for the sale of intoxicating drinks be allowed," are stricken out, and words inserted as follows:

"nor shall spirits or intoxicating liquors be sold except under such regulations and restrictions as the Territorial legislature shall provide."

Mr. CULLOM. It is in the conference report. No amendment made by the conference appears in the bill which the Senate has.

Is that satisfactory to the Senator?

Mr. PETTUS. If that is to be the law, it is.

Mr. CULLOM. That is in the bill reported by the conference.

Mr. SPOONER. Will the Senator allow me? There is an amendment marked here at the end of section 55—

Mr. PETTUS. No retrospective law shall be enacted.

Mr. CULLOM. That was stricken out.

In section 58 the minority provision with respect to voting for representation by the House and agreed to by the conference. The Senate had a provision in the bill which provided for what we call minority representation. They had it out there, and it being in Illinois, so far as I was concerned, I was willing that it should stay in the bill. The House struck it out, and I was entirely satisfied to let it go. I suppose the Senate is.

Mr. TILLMAN. Will the Senator tell us why he changed the mandatory provision in regard to the creation of counties? It was "shall" in the Senate bill and is "may" in the conference report.

Mr. JONES of Arkansas. What section is that?