

would come there in great numbers if the government of the islands had not exercised authority to keep them out by virtue of labor-contract laws.

That seems to be rather an unusual statement, and yet I am told by men there identified with the business interests of the country that really in the beginning, after the republic was established, the fear was that they would be overrun by Japanese coming to that island, and the labor laws of that country seemed to act as a restraint upon the Japanese coming there except as they wanted to come for labor purposes.

Mr. TILLMAN. Has the Senator any figures as to the number of Japanese who have come there since the islands were annexed?

Mr. CULLOM. Yes; I have them somewhere here.

Mr. TILLMAN. I understand there are upward of 30,000 now.

Mr. CULLOM. I think between 25,000 and 30,000 have come in since the flag of the United States was raised over the government building in that island.

Mr. TELLER. How many are there all told?

Mr. CULLOM. There are nearly 40,000 Japanese there.

Mr. MORGAN. I think the Senator from Illinois is wrong about that, because at the expiration of these labor contracts the Japanese have all gone back. Since the contracts have expired they have gone back. They have not settled in the island.

Mr. CULLOM. That is true. They do go back generally when the contracts expire.

Mr. MORGAN. I should like to make one more observation about it. All those men retained their allegiance to Japan when they came to the islands and never had any idea of changing it at all, and many of them are alleged to be regular soldiers in the Japanese army.

Mr. TILLMAN. If the Senator will permit me, that was the plea under which the islands were annexed, that Japanese soldiers had come over there in disguise and would seize the islands for Japan.

Mr. CULLOM. Of course at the time of the annexation that was the fear of people in this country as well as on the islands. But we did not understand that to be the case.

Mr. TILLMAN. No one has any fear of that now?

Mr. CULLOM. I think not.

When our laws are extended over the islands it is somewhat questionable what the effect will be, and whether the islands will not fill up more rapidly with such laborers than they do now. The total number of laborers of the Hawaiian Islands is about 40,000, and about one-half that number is under contract, those under contract being mainly Japanese and Chinese. Very few, if any, of the Portuguese laborers are under contract. As a matter of fact, as I have stated, there have been no importations of Chinese into those islands since the annexation act was passed.

Mr. RAWLINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. CULLOM. Certainly.

Mr. RAWLINS. I should like to state to the Senator, from information I have—I was so informed by a man from those islands—that since the adjournment of Congress, on the 4th of March last, there have been imported into those islands some 18,000 Chinese.

Mr. CULLOM. That is an entire mistake, unless all the testimony that comes to me is untrue. But there have been somewhere between 25,000 and 30,000 Japanese who were brought into that country or who came in; I do not know whether they were brought in or not.

Mr. PLATT of Connecticut. And we have no law against the coming of Japanese.

Mr. CULLOM. They could come here just as freely as they go there, if they choose.

One of the important provisions of the bill which makes some legislation necessary without long delay is the fact that under the annexation act or joint resolution it was determined by the President, on the 11th of September last, that the authorities in the Republic of Hawaii had no power whatever to dispose of or make any agreements touching the disposition of the public lands in those islands.

Mr. President, before going on again with my remarks regularly, my attention has been called to the thirteenth amendment of the Constitution of the United States, and I call the attention of the Senator from Connecticut to it. It would seem to prohibit the sort of punishment that is provided over there for contract laborers in case they violate their contracts. It reads:

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Now, whether that would do away with it or not, I do not know. Mr. FORAKER. I do not understand that that would do away with contract labor if a man wants to contract to labor for a term of years.

Mr. CULLOM. But it would do away, I think, with the penal portion.

Mr. FORAKER. I suppose he would have a right to do so.

Mr. SPOONER. It certainly would do away with the right to imprison him for violating a contract. It would do away with the penal part.

Mr. FORAKER. It would do away with the penal part of it.

Mr. CULLOM. That is what I said.

I was referring to the public-land business. The authorities there supposed that as the annexation act provided that until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government in such islands should be vested in such officer or officers and should be exercised in such manner as the President of the United States should direct, and the Government of the United States took substantially the same view, but upon closer investigation the President came to the conclusion that there was no authority whatever left in the republic of Hawaii to deal with the question of the disposition of the public lands.

Senators will see upon reading the joint resolution of annexation that every vestige of power apparently (and that was the construction the Attorney-General and the President gave to it) was taken away from the authorities of those islands as to public lands, so that they could not under the annexation law do anything looking to the disposition or use of them even. So the whole territory there is held up by the condition that exists, so far as dealing in the lands is concerned, either for homesteads or for uses or leases or in any other way. Therefore it is important that something shall be done, in the first place, to pass a bill getting an organization there and establishing the Territory and putting somebody in authority, as well also as to validate the transactions that have been in good faith carried on there while the authorities in the island supposed that they had the power to go on and sell or lease land or make agreements about them as they chose.

Under this provision the President continued the establishment as it existed when the annexation act passed, and the result was that the authorities supposed that they could go right on as before in the disposition of lands as the situation might require. The result was that sales of land were made, though not to any very large extent, agreements were made, leases were made, contracts for homesteads were made, and on the date I have indicated—the 11th of September—an Executive order was made by the President notifying the Hawaiian republic that that government had no power to make any sale or disposition of the public lands in the islands; and that all contracts or agreements for such sale or other disposition of public lands should be discontinued, and that the purchaser should be notified that the same were null and void, and any consideration paid to the legal authorities on account thereof should be refunded.

This order put a sudden stop to all transactions touching in any way the public lands or realty of the islands, and greatly embarrassed the people thereby, so that the representatives of that government have strongly appealed to Congress to pass some act giving relief, and the committee has placed in the bill under consideration an amendment which reads as follows:

That all sales, grants, leases, and other disposition of the public domain and agreements 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, 1893, are hereby ratified and confirmed.

That is made for the purpose of curing the situation and confirming the contracts that have been made. Senators will find the document in the Document Room, I suppose, which gives in detail every single transaction that has been made by that government or its officers in reference to the lands referred to.

This provision is believed to be right for the reason that every transaction which has taken place on the part of the Government there has been examined, and the committee have found no reason against confirming the agreements which have been made in connection with the lands of that Territory.

Grants were made of 254 parcels of land, which included 15,334 acres, valued at seventy-eight thousand and odd dollars. Of this area, however, about 8,000 acres were granted for land patents made in pursuance of agreements entered into before the act of annexation, and 4,500 acres were granted under the right of purchase lease system, and the applicants for these lands were residents in nearly every case who desired to improve the lands and acquire homesteads, etc.

The committee therefore believed that the sales made after the annexation of the islands and before the President's order should be ratified, because they were all made in good faith and in the interest of the growth and increased wealth of the islands.

The annexation act relative to public lands, as the Senate will remember, provided that all revenue from or proceeds of such lands, except as regards such part thereof as might be used or occupied for civil and military or naval purposes of the United States, or assigned for the use of the local government, should be used solely for the benefit of the inhabitants of the Hawaiian