

in Texas, called the chaparral plant, or the chaparral bean. That used in Hawaii was introduced from Peru. It is not precisely like the Texas tree, but very like it, and is called the algaroba. It is a tree that bears a long pod, with very fine, rich seed in it. The pod, the hull itself, and all of its contents are as sweet as sugar. The tree bears very abundantly, throws off its pods every morning during the entire year, there being no frost in that country, and furnishes a large supply of most excellent forage for all kinds of industrial animals. The beeves get very fat. The fattest beeves I have ever seen in my life were in Hawaii. They were really disfigured with fat. They were fattened upon these pods.

Another very fine quality of the tree is that it is most excellent firewood, an article that is a little scarce in Hawaii, or was scarce when this new system was inaugurated; but all kinds of fruit, all kinds of flowering plants, and shrubs are cultivated in those mountain ranges by the government, and it is very essential that it should be done.

Agriculture, horticulture, floriculture in Hawaii are very important and very profitable lines of industry. Hawaii without roads, of course, is an impassable country, except to men upon mountain ponies, or to goats, or something of that kind.

That government has devoted itself and the proceeds of the sales of the public lands very largely to the making of roads, so that there is no country I know of now that is better supplied with very fine roads than Hawaii. One road from the volcano to the town of Hilo, 31 miles long, flanked with coffee plantations on either side, is the most beautiful road I think I have ever seen, almost if not entirely, worthy of comparison with Pennsylvania avenue for its solidity, for its grade, and everything else; so that a man can get on a bicycle, they tell me, at the mountain house on the mountain of Kilauea and run into Hilo, 31 miles, without putting his foot on the pedals of the bicycle, except to hold back, and he has not very much of that to do. That is a very beautiful road, and there are other roads of that kind.

The combination of agriculture and road making and the sale and disposal of the public lands are all put under this commission to be reported to the Congress of the United States, in order that we may enact legislation here intelligently, and in the meantime that the money which has been derived from the sale of lands, which was, before this commission reported, in the treasury, and that derived since, can be applied by that government there; that is to say, it will be applied, and no doubt has been applied, by that government to the making of these same roads and to these same purposes. It is to authorize and to justify that action on their part that the bill is in the form in which it is. It may be a little complicated, and I felt it was my duty to try to explain it.

Mr. CULLOM. I was myself quite anxious that the Senator from Alabama should make exactly the explanation he has made on the subject. I shall soon conclude what I have to say, if Senators will be kind enough not to interrupt.

Mr. TILLMAN. I do not want to interrupt the Senator unless the Senator is willing; but there are so many things in this bill which need explanation that I must be excused if I ask him a question.

Mr. CULLOM. I yield for a question.

Mr. TILLMAN. I notice on page 32 of the bill something that seems rather remarkable, and it is in italics, which makes it even more remarkable. It reads:

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, 1899, are hereby ratified and confirmed.

We, in the joint resolution annexing the Hawaiian Islands, took the public domain—the lands—out of the jurisdiction of those people, and set them apart for a specific purpose—that is, for the use and benefit of those people, mainly for education. They may have granted or leased all the lands away. We do not know what has been done or is to be done with them, and yet we are asked to ratify in the dark, without any facts before us, the action of the government which has been in existence since the islands were annexed, now for over a year, without any appeal to our courts as to the justice of these grants or leases, or any statement as to the quantity of the land which has been thus disposed of.

Mr. CULLOM. The trouble with the Senator is that he was not listening when I went over that a while ago.

Mr. TILLMAN. How much land has been alienated?

Mr. CULLOM. I have stated that I believe some 54 tracts or parcels, as the case may be, were alienated; and I explained what some of them were.

Mr. TILLMAN. Will the Senator tell me, if he knows, how much land is involved in this legislation? I shall be obliged to him for that information.

Mr. CULLOM. What I was going to say to the Senator was this: There is a document, printed for the use of the Senate and the House of Representatives, giving, item by item, every land transaction which has taken place since the annexation of the islands, or since the flag went up there, to the time when the

President of the United States made an order stopping any further dealing in lands by the government of those islands. The Senator can see that and look it over at his leisure.

Mr. TILLMAN. Mr. President, with a multitude of other matters that are piling in here every day, the Senator must not object to one who is not particularly charged with the subject-matter asking those in charge of a particular bill to explain its provisions.

Mr. CULLOM. I am not objecting to the Senator's question.

Mr. TILLMAN. The Senator seems to think that I am hypercritical.

Mr. CULLOM. I have not objected to any question of the Senator up to this minute, and I hope to continue in the same spirit.

Mr. TILLMAN. The Senator has always been courteous. I simply wanted to have some light on this remarkable matter.

Mr. CULLOM. I hope the Senator will secure the document to which I have referred and investigate it. I shall be glad to give him any information I have that will throw further light upon the subject.

Mr. TILLMAN. I thank the Senator, and I will avail myself of his kindness to ask him a great many more questions about this bill before we get through with it.

Mr. CULLOM. I have no doubt of it.

There have been questions raised as to the court system of those islands. I will leave the land business. We found in the republic a system of courts which seemed to be satisfactory to the substantial people of those islands and to everyone else, so far as I know. They have there a supreme court, composed of three members, who are appointed for life or during good behavior. The Americans in that country desire that the court system should not be disturbed, nor should the tenure of office of the judges. The committee, however, felt that a life-tenure office of a Territorial judge was not in harmony with our ideas in this country, and we determined to fix the term of the judges of the supreme court at nine years.

Mr. PLATT of Connecticut. If the Senator will permit me, as he submits to interruptions kindly, I should like to ask him a question.

Mr. CULLOM. Certainly.

Mr. PLATT of Connecticut. While the Senator is on this point, I should like to inquire of him how long a term the justices or judges of the supreme court will have after the nine years' term for which they are continued?

Mr. CULLOM. The purpose of the bill was to fix the term at nine years.

Mr. PLATT of Connecticut. But it does not do it, I think.

Mr. CULLOM. If it does not, it ought to do it. The further fact is, as I understand, that one of the judges of the supreme court, the chief justice—who is an American, by the way, I believe an American born—on account of ill health, has resigned, so that there are only two others.

Mr. PETTUS. Mr. President, on that very subject I desire to call the attention of the Senate to the last clause in that section, which seems to me to give the judges a life tenure; and that is in conflict with the other part of the section, which gives them a nine years' term, as the Senator will see if he will read the section.

Mr. CULLOM. There may be some little amendments necessary to that provision in the bill, so as to make its purpose entirely clear.

Mr. PETTUS. The bill says the judges are to hold office until there is a vacancy. I suppose it was intended to mean until their successors should be appointed and qualified.

Mr. CULLOM. Certainly.

Mr. PETTUS. That is what I am informed was the intention; but if you will look at the bill, you will see it reads "until there is a vacancy."

Mr. CULLOM. It ought to be until their successors are appointed and confirmed.

The committee believed, as I said, that it was in the interest of good government and in harmony with the wishes of the people of that Territory that we should not overturn their system of government either in the courts or otherwise where it could be avoided consistent with our ideas of republican government.

I want Senators to bear in mind that we are dealing now with an old government, a well-established government of a people, which has existed for many years, and not dealing with a few scattered settlements over the prairies or in a land which has not been settled, but with a government existing, which has been running for years, and a very good government at that, so far as order and honesty and everything of that kind can make it so.

Mr. SPOONER. Will the Senator allow me to ask him a question while he is dealing with the subject of the judiciary in Hawaii?

Mr. CULLOM. Certainly.

Mr. SPOONER. Is any appeal provided by this bill from any judgment of the supreme court?

Mr. CULLOM. Of the Territory?