talking about the property qualification under the monarchy before the republic was established.

Mr. CULLOM. The council, which existed before the senators who are to take its place, was appointed by the monarch himself.

Mr. TILLMAN. Was not the monarch himself largely under the influence of his associates?

Mr. CULLOM. Not at all.

Mr. CLARK of Wyoming. Not at all.

Mr. MORGAN rose.

Mr. CULLOM. Does the Senator from Alabama wish to say something?

Mr. TELLER. I want to ask one more question.

The PRESIDING OFFICER. The Senator from Illinois has already yielded to the Senator from Colorado.

Mr. TELLER. The question is whether the Senate does not think that having an amending clause—and that incursion qualification for voters would enable them to dispense with the property qualification?

Mr. CULLOM. I answered that a moment ago.

Mr. TELLER. It must have been before I came in.

Mr. CULLOM. I said that personally I had been inclined so to believe, but that the commission and the Committee on Foreign Relations both thought a property qualification ought to be required, and so it is in the bill.

Mr. TELLER. I wish to say to the Senator who has charge of this bill that I think it will not be as well to vote for this bill, but I think some corrections ought to be made. I do wish to hear some member of the Committee on Foreign Relations tell me why at this late hour we are to put in not only an educational qualification, but a property qualification also. I myself am unable to vote for this bill, and I do not intend to.

Mr. PLATT of Connecticut. I am not on the Committee on Foreign Relations, but I suppose the question which arises is just this: Under the old régime there had been friction between the native population and the American population, and bitterness and animosity towards the latter. The native population, so largely outnumbering the American population or the Anglo-Saxon population, may conceive the idea that they can run the government by votes against the Anglo-Saxon people and that idea, and they will be liable to be influenced by demagogues.

Mr. CULLOM. There is great danger that all Anglo-Saxon influence there may be overturned.

Mr. CULLOM. That is the whole story.

Mr. TELLER. I should like to debate that when I can work it out in the bill. I am the Senator from Illinois.

Mr. CULLOM. Does the Senator from Alabama wish to say something?

Mr. MORGAN. I thought I could clear up this question a little by reading from the report of the committee made to the commission on the subject, in which the facts as to suffrage are stated.

Mr. CULLOM. Proceed, if you wish.

Mr. MORGAN. I will premise by saying that Kamehameha III, who was an educated man, drew with his own hand and had it ordained by an assembly that he brought around him, which he called the house of nobles and the commons or representatives. I have not understood historically that any person assisted him in the preparation of that draft of the constitution. Doubtless he advised and consulted with his friends and legal advisers, and who did not go out there as a missionary, but as a physician. He may also have advised with an Englishman, whose name I cannot call, who was then a member of his cabinet. But Kamehameha wrote that constitution and ordained it, not by a consultation of the senate or house, but by his own hand. In that constitution he created two houses for legislation; one was the nobles, and the other was the house of representatives. I forget the particular names they gave to those houses.

Mr. CULLOM. A council and a house.

Mr. MORGAN. I mean the Hawaiian names.

Mr. CULLOM. I do not know, either.

Mr. MORGAN. The two houses sat together. The senators held their appointments for life. The members of the house were elected by the people after a while.

Mr. TELLER. With houses.

Mr. MORGAN. The members of the house.

Mr. TELLER. I thought the Senator said "houses."

Mr. MORGAN. The subject was referred to a subcommittee of the commission which was sitting there, and they prepared a report on it. It is not long, and I think it will probably give the Senators some idea of the situation than perhaps could be derived in any other way.

The question of the elective franchise and of representation in the legislative body is a delicate and important question, as upon this depends the general character of the local government. Two classes of qualifications have been relied on chiefly in the past to preserve a fair standard of membership in the legislature. These are the educational and the property qualifications. An educational qualification merely requires members and voters for members of each branch of the legislature to be able to read, write, and speak the English or Hawaiian language. This qualification has been required in Hawaii, and no objection has been offered to it from any quarter. Practically all the native Hawaiians possess this qualification.

The property qualification is more restrictive, and this subcommittee, while believing that the time will come when these can be removed entirely, are of the opinion that at the present time, and until the native population has attained a higher standing, restrictions should be retained. The recommendations of the commission are in the direction of extension rather than of restrictions of the privilege of membership.

Under the present constitution of Hawaii, members of the lower branch of the legislative body are required to own property valued at not less than $600. It is recommended that these figures be now reduced to $200 and $400, respectively.

I believe those to be the figures in the bill.

Under the present constitution members of the upper house are required to own property valued at $1,000, or to have an annual income of $75. It is now recommended that these figures be reduced to $600 and $50, respectively.

These restrictions upon membership in the two houses are good as far as they go, and yet they are not as effective as might at first appear, for there are those who have the property qualification but not the income qualification. The only effective way to obtain a fairly conservative legislature under conditions such as exist at present in Hawaii is to require proper qualifications of the members themselves.

That the committee has disregarded.

For many years, under the monarchy, voters for members of the lower house were required to own property to the extent of $150, or to have an annual income of $75. These restrictions were finally removed under the monarchy. There has been an increase in the income required for voters for members of the lower house under the republic, and it is recommended that there shall be none in the future.

Mr. PLATT of Connecticut. And there are none in the bill.

Mr. MORGAN. That is not the case in the bill.

Mr. TELLER. In the case of the house, the people were for many years not permitted to vote at all for its members. At first its members were appointed by the king, and membership was hereditary. Afterwards they were appointed by the parliament, and that gave us the impression that they were elected by the people, and then the voters were required to own property, real or personal, or to have an annual income of $75. Then under the republic the amount of real property required was reduced to $1,000, the amount of personal property required was reduced to $500, and the amount of annual income was reduced to $75. The provision was to remove the personal-property qualification altogether, to reduce the real-property qualification to $1,000, and to allow the franchise to all who were not members of the army, navy, or civil service. The test was not made as safely made at the present time. This is evident from the history of the past, especially during the last years of the monarchy, when the property qualifications were less stringent than it is now provided, there would have been a greater influx of the franchise and property owners of effective representation.

The qualifications proposed are more liberal than have ever existed before in Hawaii or anywhere else. They are based on property qualification, and that is as it should be. For many years, the Franchise Qualifications Act has been required of members of the upper house and practically all of them for members of the lower house. The suffrage was extended in the past in Hawaii by providing for those who were not voters or members of the army, navy, or civil service, and by reducing the property qualifications gradually, probably by the quickest way to obtain a fairly conservative legislature. We must remember that this time might prove so disastrous as to produce a reaction, by which the franchise might be restricted much more than it is at present, if not actually removed. It is the opinion of this subcommittee that the property qualification for voters for the upper house and no such qualification for voters for the lower house is the only effective way of obtaining a fairly conservative legislature.

Is that check from the other, since no bill can be passed without the concurrence of both houses.

Mr. TILLMAN. Will the Senator tell us what report that is?

Whose is it? Who made it?

Mr. MORGAN. A report by myself and Judge Frear, a subcommittee to the general commission.

Mr. TILLMAN. Is Judge Frear a native Hawaiian? Is he a representative by President Dole?

Mr. CULLOM. He was appointed by the President of the United States.

Mr. MORGAN. He was appointed by the President of the United States.

Mr. TILLMAN. He is a native?

Mr. MORGAN. No, he is not a native. He was born—

Mr. TILLMAN. He is living there?

Mr. MORGAN. Yes, sir.

Mr. TILLMAN. He is interested?

Mr. MORGAN. He has been for years chief justice of the supreme court of Hawaii and is one of the ablest lawyers, I think, I ever knew.

Mr. CULLOM. Is the Senator from Alabama through?

Mr. MORGAN. I merely wished to read the extract I have read; that is all.

Mr. TILLMAN. Mr. Frear is not chief justice, but he is one of the associate justices of the supreme court.