

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 control of Mr. Dole and 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 he does not think that having an educational 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 the bill that I should like very much 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 any proposition of that character, 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 conflict, and the fear is that the native population, so largely outnumbering the American population or the Anglo-Saxon population, may conceive the idea that they can run that government by votes as against the Anglo-Saxon people and the Anglo-Saxon idea, and that they will be liable to be influenced by demagogues—people who still hold, in a way, to the old monarchy—and that there is great danger that all Anglo-Saxon influence there may be overturned. I suppose that must be the situation.

Mr. CULLOM. That is the whole story.

Mr. TELLER. I should like to debate that when I can do it without trespassing on the time of 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 the first constitution of Hawaii while he was King, 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 with Dr. Judd, who was at that time his great friend and legal adviser, 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 can not call, who was then a member of his cabinet. But Kamehameha wrote that constitution and ordained it, not by a vote of the people, but by the power of his supreme authority. 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—

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. Both 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 a more distinct 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 most 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. The 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 long been required in Hawaii, and no objection has been offered to it from any quarter. Practically all the native Hawaiians possess this qualification.

That is the educational qualification.

The property qualifications are more restrictive, and this subcommittee, while believing that the time will come when these can be removed entirely, are of the opinion that for the present they should be retained to some extent. The property qualifications should not, however, be increased. They might perhaps with safety be reduced. Conditions in this respect in Hawaii differ from those in the United States. The people of Hawaii have always been accustomed to restrictions in the matter of representation, especially in the upper branch of the legislature. A review of the past will show this clearly, and will show also that the recommendations of the commission are decidedly in the direction of extension rather than of restriction of the privilege of representation.

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 \$1,000, or to have an annual income of not less than \$600. It is recommended that these figures be now reduced to \$500 and \$250, respectively.

I believe those are the figures in the bill.

Under the present constitution members of the upper house are required to own property valued at \$3,000 or to have an annual income of \$1,200. It is now recommended that these figures be reduced to \$2,000 and \$1,000, 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 always some men of every class who possess these qualifications. 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 voters 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 a leasehold on which the annual rent was at least \$25, or to have an annual income of \$75. These restrictions were finally removed under the monarchy. There has been no property qualification whatever 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. No; none in the bill for the lower house.

As to the upper 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 people, and then the voters were required to own property, real or personal, valued at \$3,000, or to have an annual income of \$900. Under the republic the amount of real property required was reduced to \$1,500, the amount of personal property remaining at \$3,000 and the annual income at \$600. It is now proposed to remove the personal-property qualification altogether, to reduce the real-property qualification to \$1,000, and to allow the income qualification to remain at \$600. This seems to be as great a reduction as can safely be 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 greater than it is now proposed to make them.

The qualifications proposed are more liberal than have ever existed before in Hawaii, and under them a large portion of the native Hawaiians can vote for members of the upper house and practically all of them for members of the lower house. The suffrage has been extended in the past in Hawaii by degrees. It is believed to be wisest to continue this process of growth. To remove the property qualifications gradually is probably the quickest way to obtain their entire removal ultimately. To sweep them all away at the present 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 taken away altogether. The two houses sit separately, and by requiring a property qualification for voters for the upper house and no such qualification for voters for the lower house, all classes are fairly represented and each class may act as a check upon the other, since no bill can be passed without the concurrence of both houses.

To materially reduce the qualifications below what it is now proposed to make them would be to practically turn the legislature over to the masses, a large portion of whom have not yet fully learned the meaning of representative government, and to practically deprive the more conservative elements and property owners of effective representation.

Heretofore the two houses have been equal in membership, each containing fifteen members. It is now proposed to double the membership of the lower house. This will increase the representation of the masses and at the same time give the lower house greater protection from outside influences.

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