The sessions of the legislature are biennial; the election is in the fall, and they meet in February. The provision is generally the provision of our law, that each House shall be the judge of the election and qualification of its members, and disqualifies all those who are employed by the government in other positions, and prohibiting for their votes.

Mr. SMITH of Kentucky. I would like to make a suggestion to the gentleman as to section 18, which reads:

That no person shall be entitled to register or vote at any election in the Territory of Hawaii unless he shall take an oath to support the Constitution of the United States of America.

Does not the gentleman think that the verbiage of that section might be improved somewhat? There seems to be some question of whether a man every time he went to register should take a constitutional oath, and I would suggest that there be inserted "unless he shall have taken the oath." This I believe would be more appropriate.

Mr. NOX. I suppose the gentleman would agree that the oath is a proper one, that he should support the Constitution of the United States?

Mr. SMITH of Kentucky. Oh, yes; I do not disagree with that. If I were a citizen of a foreign country, I would have to take the oath. This language might impart the idea that at each and every registration and every election held each voter should take the oath, not withstanding he may have taken it a half a dozen times before. It seems to me that if you would make it read "unless he shall have then and there take an oath to support the Constitution of the United States," it would be much better.

Mr. NOX. I hardly think the section is susceptible to the objection which the gentleman makes:

That no person shall be entitled to register or vote at any election in the Territory of Hawaii unless he shall take an oath to support the Constitution of the United States.

After he has once taken the oath and once registered, he is a voter.

Mr. SMITH of Kentucky. Yes; but does that say that?

Mr. NOX. Would not that be a fair construction?

Mr. SMITH of Kentucky. Yes; but I want you to make it sure that it is that way.

Mr. NOX. I think that would be the fair construction. If the gentleman thinks it doubtful, it could be changed, and there was nothing not to do that.

Mr. SMITH of Kentucky. I would like to have it made plain and direct.

Mr. NOX. The provision for the yeas and nays, the rules, the punishment of members, are so like those of the United States' provisions that I do not think it necessary to refer to them. The compensation of members of the legislature is $400 for a session that is limited to sixty days, and $300 for an extra session, limited to 30 days, and mileage at 10 cents a mile each way. I believe the Territorial Council receives compensation at $8 per day and mileage.

Mr. WILSON of Idaho. Will the gentleman answer a question?

Mr. NOX. Certainly.

Mr. WILSON of Idaho. Referring to section 4, it is provided—

That all persons who are citizens of the republic of Hawaii on August 12, 1898, are hereby declared to be citizens of the United States and citizens of the Territory of Hawaii.

Who were citizens then? Does that include any Chinese or Japanese?

Mr. NOX. Under that provision the republic of Hawaii made citizens of the republic all persons born or naturalized in the republic of Hawaii. When the republic of Hawaii was formed, there were a few Chinese who had been granted citizenship, and with the exception of about 700 Chinese who had previously been naturalized in the days of the monarchy, there are no Chinese citizens, and that was the extent of the Asiatic naturalization; and of that 700 a very large number have been naturalized.

Mr. NOX. And according to the best estimate, half of these have gone from Hawaii.

Mr. SMITH of Kentucky. Will the gentleman tell me why the 12th was selected?

Mr. NOX. The 7th of July was the date of the passage of the annexation resolution. The President in his proclamation provided for the transfer of sovereignty—the actual ceremonies of the transfer of sovereignty from the Hawaiian republic to the United States, which was to take place on the arrival of the Philadelphia with Admiral Walker. That vessel arrived, and the ceremonies took place on August 12. That was the date that the Hawaiian Republic was naturally transferred.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RICHARDSON. I ask unanimous consent that the gentleman be allowed to conclude his remarks.

Mr. RITT. The gentleman is in control of the time. How could he be allowed to conclude his remarks?

The CHAIRMAN. Even if he were in control of the time, he must speak in subjection to the rules, which limits him to sixty minutes.

Mr. RITT. I thought an agreement had been made.

Mr. RICHARDSON. No; it was not made. I ask unanimous consent that the gentleman may be permitted to conclude his remarks.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Maryland be allowed to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. NOX. Mr. Chairman, I have already stated the number of members of the Senate, and that general and special elections may be held to fill vacancies which may be occasioned in either House.

Now, the provisions as to the division of senatorial districts are contained on pages 63 and 64 of the bill. I will not read those. The universal testimony was that these districts were divided as fairly and with as much consideration for the convenience of the voters and that it was possible under all the circumstances, and no objection came from any quarter; and I would say the same in regard to the representative districts contained on pages 65 and 66.

The qualifications of a representative are simply the attainment of the age of 25 years, citizenship of the United States, and residence in the Hawaiian Islands for a space of three years.

Mr. MORRIS. I see that those are the qualifications of a representative; where are the qualifications for a senator?

Mr. NOX. That comes later on, and differs in no way. The legislative act of the legislature will take place in 1901. It is provided that the English language shall be the official language of the territory. The reading of the bill is in accordance with our own provisions, and the certification of bills from one house to another and from the governor, are in accordance with our own rules. The governor has the usual veto provided by the Territorial law.

Mr. SMITH of Kentucky. Have you provided in the bill that the final passage of bills in the assembly shall be by a yeas-and-nay vote?

Mr. NOX. Yes, and the governor is oblige to return a bill vetoed, with the reasons for the same.

Mr. SMITH of Kentucky. Have you made it mandatory?

Mr. NOX. We have.

Mr. WILLIAMS of Mississippi. I notice on page 93, section 94, in connection with imports from Hawaii into the United States, this language:

That imports from any of the Hawaiian Islands into any State or any other Territory of the United States, of raw or manufactured articles of natural or artificial production, or manufacture of said islands, and imported into them from any foreign country after July 7, 1898, and before this act takes effect, shall be admitted into the United States free of duty, except the import duties imposed on the same articles when imported into the United States from any foreign country.

What was the date of our establishment of custom-houses out there?

Mr. NOX. The customs laws of the United States have not been extended to Hawaii.

Mr. WILLIAMS of Mississippi. I thought we passed an act extending them some time ago.

Mr. NOX. I think we passed it in the House at the last Congress, but not in the Senate.

Mr. WILLIAMS of Mississippi. I knew we passed it in the House at some time.

Mr. NOX. Now, the appropriations on page 69, which the legislature may make, are to be made biennially. They are made upon the recommendation of the governor substantially in accordance with our own provisions. The provisions of section 54 are perhaps a little different in providing that the governor, in case of failure to appropriate, may extend the appropriations that have been made before.

The legislative power, page 70, is but a repetition of our own law as to the subjects upon which Territorial legislation may be had.

Mr. GILBERT. I have not studied the bill carefully, but I would like to include with other, under the provisions of this act, the Chinese and Japanese and other Asiatics are entitled to give evidence, to serve on juries, and to perform all the functions of citizenship except to vote.

Mr. NOX. As I understand the laws of Hawaii, the juries