are drawn from citizens. Neither Japanese nor Chinese are citizens; they have never been and will not be.

Mr. HITT. They are denied naturalization by law.

Mr. GILBERT. Are they permitted to serve on juries?

Mr. HITT. No.

Mr. GILBERT. Are they permitted to make contracts?

Mr. KNOX. Yes.

Mr. GILBERT. To sue and be sued; to give evidence in court?

Mr. HITT. They are aliens.

Mr. GILBERT. If you give them to that extent the right of citizenship, how are you going to deny them the equal protection of the law?

Mr. KNOX. In what way?

Mr. GILBERT. For example, the Supreme Court has held, as the gentleman knows, that the colored race have not secured a fair trial for which under the Constitution of the United States, by a jury made up of another race, which other race has the exclusive right to sit on the jury?

Mr. KNOX. The colored man, or the African, is a citizen under our laws. He votes. The right that is withheld from the Japanese and Chinese by this bill nor by the Hawaiian law. But under the existing laws of the United States Japanese and Chinese cannot become citizens of this country. That is the effect of existing laws of the United States, which are simply extended over Hawaii by this bill. Those people are not a part of the people, that is, the general United States law, and they cannot go on the jury list.

Mr. GILBERT. I was asking simply for information. Now, there is another question. Before the war we had a great deal of learned discussion of the South as to who has constituted a colored person. No, it is not so. Now it is the law that the Chinese are not citizens of the United States. I do not know to what extent miscegenation is carried on out there, but suppose an Asian intermarries with an American citizen; is the offspring of such a marriage a citizen? Are half-breeds citizens under this bill?

Mr. KNOX. I have answered that before. Under an express provision of the law of 1882 we do not naturalize Chinese.

Mr. GILBERT. I am aware of that.

Mr. KNOX. That provision that no Chinese shall be naturalized either in a Federal court or a State court. We do not naturalize Japanese, not by virtue of any express provision of law, but by a judicial decision. It is true this matter rests only upon a decision of a circuit court—a circuit court, I think, in Boston. But it is true that the Chinese are not citizens of the United States. I do not know to what extent miscegenation is carried on out there, but suppose an Asian intermarries with an American citizen; is the offspring of such a marriage a citizen? Are half-breeds citizens under this bill?

Mr. WILLIAMS of Mississippi. This bill has been sprung on me rather suddenly, and hence I desire to ask another question. I notice the suffrage provision—

Mr. COOPER of Wisconsin. I wish to ask this question: The Supreme Court has decided, has it not, that the child of a Chinaman who can not himself be naturalized is a citizen of the United States?

Mr. KNOX. That is a recent decision.

Mr. COOPER of Wisconsin. Now, would not a child of Chinese parents born in Hawaii become a citizen?

Mr. ROBINSON of Wisconsin. If of mixed blood, not of that child be a citizen?

Mr. KNOX. It would. If children of Chinese parents, who can not themselves be naturalized, are citizens, a torti children of the Chinese, born in the United States, would be citizens.

Mr. WILLIAMS of Mississippi. I desire to call the attention of the gentleman from Massachusetts to the suffrage provisions on page 73 and 74 of this bill. And, by the way, I have no quarrel with them. I think they are admirable in their character—almost a transcript of the Mississippi constitution and tending strongly toward the preservation of white supremacy and civilization in Hawaii.

Mr. KNOX. We are very much complimented. [Laughter.]

Mr. WILLIAMS of Mississippi. I notice on page 74 a provision in these bills where it is provided that prior to registration the person undertaking to vote must have paid a poll tax of $1 for the current year.

Now, if the poll tax could be paid upon the day of the election, or but a very short time in advance, politicians could, of course, have a considerable influence over the people, to get them to actually buy votes by paying the poll tax for those desiring to vote; whereas if the poll tax is required to have been paid a considerable time in advance of the election—nine months in Mississippi—the class of people who sell their votes would hardly be trusted by politicians during that length of time. Hence, I think it would be better to pay the poll tax in advance, and also to know how long a time is to pass between the last day on which the poll tax can be paid and the day of the election.

Mr. KNOX. Under one provision which it was proposed to insert in this bill the voter must have paid all his taxes; and he is shown the exact day to come to it, he is shown the exact day when registration closes. In order to extend suffrage as far as possible this provision was modified so as to require the payment simply of a head tax; and according to that provision, as I recollect it, the time of registration extends close up to the time of election; but the tax must be paid before registration.

Mr. WILLIAMS of Mississippi. I understand that. What I desire to know is how long before the election the registration closes. This is a very important matter, in order to consummate what you are so anxious to do. Mr. KNOX. That is all in the report that is before you. I will have to turn to it in order to give you the length of time that registration must precede the election.

Mr. WILLIAMS of Mississippi. The object of my inquiry was to provide the people of Hawaii with a proper head tax, the payment of which can entitle a man to vote if the payment be made immediately prior to an election, is no safeguard of any sort; whereas if a considerable time passes, it is a very estimable safeguard.

Mr. KNOX. The provision of the bill is simply that he shall pay his poll tax prior to registration, and in the report which you have before you, and which I will look at in a moment, the exact time when registration closes is provided. The exact time when he may register is provided there.

Mr. WILLIAMS of Mississippi. And he must pay the poll tax prior to registration.

Mr. KNOX. Yes; he must pay it prior to registration. I agree with the gentleman that allowing the poll tax to be paid up to the time of voting used to be quite a common practice and might be good to have in this case.

Mr. WILLIAMS of Mississippi. Yes.

Mr. KNOX. That was done away with in our State by abolishing the poll tax as a requisite for voting.

Mr. WILLIAMS of Mississippi. We did away with the evil by providing that all polls taxes due up to the February of the year preceding the election should have been paid on or before February 1, and in that way the politician had no temptation to buy voters by paying the poll tax.

Mr. WILLIAMS. The provision here is that it must be paid previous to registration, and I will give you the exact time for registration in a moment.

Mr. RIDGELY. Will the gentleman permit a question?

Mr. KNOX. Certainly.

Mr. RIDGELY. Does this bill treat all the inhabitants of Hawaii as citizens when it goes into effect?

Mr. KNOX. All except the Asians.

Mr. RIDGELY. The Asians are not admitted to citizenship in the island?

Mr. KNOX. They can not be under our United States laws. The laws of the United States are extended to Hawaii, and the Chinese and Japanese, as I have tried to explain, can not be citizens of the United States.

( Mr. RIDGELY. Now, one other question. Do you hold that the Constitution applies to Hawaii?

Mr. KNOX. We extend it by this act, when it goes into effect.

Mr. RIDGELY. And you hold that it never has applied until extended by legislation?

Mr. KNOX. I do not believe, as the gentleman does that, the Constitution of the United States applies. If it were to go to the islands after we have acquired them, but fortunately that question does not arise in reference to Hawaii, because the resolution which annexed the islands to the United States provided that all the municipal law of Hawaii that was not in contravention of the Constitution of the United States should be effective. And when immediately or was immediately extended the Constitution. This bill affirmatively extends it, and there never has been a time when there has been a hiatus, or when the Constitution of the United States was not the controlling