Here is a proposition, Mr. President, to authorize the governor of the island to appoint the supreme judges, to make the decision of that supreme court in matters of life and death final, giving no appeal from that Territorial tribunal to any tribunal above. The question is, What is the law in other Territories? Why should it be as to this? Why should a man condemned to die in Arizona have a right to appeal to a higher tribunal, and a man, an American citizen, if you please, condemned to die in Hawaii for a violation of a local law have no appeal from the supreme court of that State?

There was great force, to my mind, in the argument made by the Senator from Connecticut [Mr. Platt] in support of the proposition that peculiarly in the Territory of Hawaii ought the President of the United States to appoint these judges. It is far afield from the central idea of the proposition, that the people are in the hands of the rich; perhaps, as the Senator from Alabama intimated a few moments ago, in the hands of powerful men in California. It is largely a syndicate-controlled island.

The Senate which is to confirm these judges is a small Senate. It is a Senate of one party. The people at large have no voice. The native of that island—the men who were born there, the men who love it, the men whose home it is—even though they be intelligent, even though they can read and write, even though they be docile and kindly and gentle, have no voice, unless they have money, in the election of that Senate which, in conjunction with the Governor, is to appoint these important officers. It is not a contest of manhood alone. It is a contest of manhood, of intelligence, and property.

The band of men who under this bill—and I am not certain that it could properly be changed—are to choose this Senate, a majority committee in the Senate. These appointments, by the advice and consent of the governor, are comparatively small in number.

I think it would be wiser for that whole people if we in this one particular adhere to the policy which has governed the Congress of the United States in establishing at least the supreme court of the United States, the Supreme Court of the United States. It is not only for the President, but the Presidents who are to come after him. I can hardly conceive it possible, Mr. President, that there will be an occupant of the White House who, remembering the history of that people, remembering how they came to us, keeping in mind their isolation, the existence between them and us of different languages, customs, and all that, would choose some broken-down politicians, possibly ignorant in the law, possibly bankrupt in integrity as well as in purse, to take into their hands the administration of justice as members of the supreme court of the islands of Hawaii. That is the reason why I am in favor of appointing these judges. If the amendment proposed by the Senator from Connecticut [Mr. Platt] shall be adopted, they are to pass the Senate of the United States. The President will appoint them by and with the advice and consent of the Senate. I am not ready to believe that the day will come when the Territory of Hawaii will be a Separate Territory. I am willing to give their consent, or when the members of this body will be found willing to give their consent, to the confirmation of a judge, or a man for a judge of the supreme court of Hawaii, out of harmony with that people and not in all respects fit to discharge the responsibilities of their situation. Indeed, regarding their interests, be left much more safely to rely upon the President and upon the Senate for the confirmation of appointments and the confirmation of proper men than upon the governor and of the little Senate elected by a small band of property owners in Hawaii, eight men in control. We all know that they would probably be elected and what, as a rule, their relation would be to the large property interests in Hawaii.

Mr. TILLMAN. Mr. President, will the Senator from Wisconsin allow me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOnE. Yes, sir.

Mr. TILLMAN. The Senator has painted such a graphic picture of the dangers from this little oligarchy, or the senate that is to be elected by voters possessing a property qualification, that I should like to know if he would consent by voting to allow that provision in this bill to remain in it?

Mr. SPoonER. That, the Senator will admit, has nothing whatever to do with the question which I briefly am discussing. I shall cross that bridge when we come to it, and endeavor to do it in such a manner as to protect the interests of the people for whose benefit we are enacting this measure.

I have nothing more to say, Mr. President.

Mr. MORGan. Mr. President, when I spoke of the republic of Hawaii as being in existence, of course I meant the government that is now in existence there, modified by the act of Congress, not that an independent republic exists there by any means, but that this republic exists there according to the terms and provisions of an act of the Congress of the United States; and in that sense, and to that extent, that all of the laws and constitutions of the