

August 12," and also inserting the words "together with the following-named vessels claiming Hawaiian register." That refers to the registration of a certain number of vessels which were incorporated in the bill, which are named and the names of which I presented to the Senate when we considered the bill; but there seemed to be some confusion as to what ought to go in, and I asked to withdraw the amendment, and it was done. The House put it in and the conferees agreed to it.

Mr. BACON. In this connection the Senator will remember that that was a provision which elicited considerable debate in the Senate, and after that debate it was the judgment of the Senate that the ships should not be named as entitled to registration. In other words, the judgment of the Senate was that the question of registration should be determined by the class to which a vessel belonged, and it should not be designated and taken out of a class and given this special favor. The judgment of the Senate was that the registration of those vessels should be limited to those which at a certain date were in the class named.

Now, what I desire to ask the Senator is this: The Senator, of course, is familiar with the reasons which were given in the Senate why the designation of particular ships as entitled to registration was not favored by the Senate and why the Senate decided against it; and in order that I may be informed as to whether the change should be made, I should like the Senator to inform us as to the reasons—

Mr. CULLOM. The Senator does not recollect the exact facts with reference to the matter as it occurred in the Senate. I myself introduced the amendment.

Mr. BACON. Yes; I remember.

Mr. CULLOM. It was given to me by a Senator, I think, and I supposed there would be no objection to it. I introduced it in the Senate, and we had scarcely begun to consider it before, I think, my distinguished friend the Senator from South Dakota [Mr. PETTIGREW] proposed to insert the names of a large number of vessels about which nobody seemed to know anything except, perhaps, the Senator himself. Rather than delay and indulge in a long discussion about it I withdrew the amendment. That is the literal truth about it. The Senate really did not consider this subject, except for a very few moments.

Mr. BACON. Is the Senator prepared to state now—my recollection having been refreshed—why these vessels named, which are admitted by this amendment to registration, should be admitted rather than other vessels?

Mr. CULLOM. The only reason I know is that as to these particular vessels everyone said that while there was a little question about their being legally registered in Hawaii, because of the change of government in the meantime, yet they were in fact entitled to registration, provided the government over there had had such an existence as to give registration at all; and so far as I was concerned as one of the conferees I allowed the provision to go in as it is reported.

Mr. PETTIGREW. The Senator from Illinois made a remark a few moments ago, saying I wanted to add the names of a lot of other vessels.

Mr. CULLOM. I think the Senator did have a list of eight or ten, he said.

Mr. PETTIGREW. I objected to adding the names of any vessels, and I read a list of those which had received Hawaiian register since our flag went up. I protested against adding the names of any ships, and the Senator decidedly misrepresents me by any such statement.

Mr. CULLOM. I certainly did not mean to do so, if the Senator objected.

Mr. PETTIGREW. I objected to any being put in.

Mr. CULLOM. I remember the Senator had a list of ten vessels.

Mr. PETTIGREW. I had a list from the records of Hawaii, showing that they had registered eight or ten ships, perhaps, after our flag went up there, as I believe, in violation of law, and I did not think it ought to be ratified by our act. It was a lawless act on their part, and it ought not to be ratified on our part. I objected to adding any names and giving registration in this manner. I want that distinctly understood.

Mr. CULLOM. I did not remember that the Senator made any objection, but thought that he wanted more ships added.

Mr. PETTIGREW. I did object to those that were in and to the adding of any more. A year ago I defeated a separate bill brought in here to give those ships a register by refusing to consent to its consideration. I do not believe this amendment ought to be ratified to give an American register to any such vessels.

Mr. CULLOM. Of course I do not desire to misrepresent the Senator from South Dakota. I was merely stating in his presence what my recollection was. If he says that he first objected to all of them, I withdraw it, of course.

Mr. PETTIGREW. I do not say I first objected to all of them. I say I objected at all times to all of them, and I simply read an additional list to show what they were doing over there.

Mr. CULLOM. I remember when the Senator began to read

the long list I concluded to withdraw the amendment, and did so in order to get rid of the subject.

Mr. PETTIGREW. And they are all put back in conference?

Mr. CULLOM. The list of five are put back in conference.

Mr. PETTIGREW. So my protest, by showing an additional list, succeeded in knocking it out in the Senate and preventing a discussion of this question; and then they are put back in conference.

Mr. CULLOM. I withdrew the amendment without any reference to the question of the merits of the case, because I did not want at that time to delay the bill by a long discussion as to what vessels were entitled to registration and what were not.

Section 99 remains in the bill reported by the conferees substantially as in the Senate bill, except a different use of language meaning the same thing.

Mr. TILLMAN. Before we pass from section 99, I see there is an amendment here which limits or rather puts off for a year our coasting laws. Why is that?

Mr. CULLOM. That was put in in the House and withdrawn by the conferees.

Mr. TILLMAN. But it is in yet.

Mr. CULLOM. No; it is not. I have said to the Senator several times that the amendments of the conferees to the House bill are not in this print, because the Senators desired to see just what the difference was between the House and the Senate, and not between the Senate and the conferees.

Mr. TILLMAN. I have the wrong bill. It is pretty hard to keep these babies from getting mixed up. It is very difficult to tell what is the conference report and what was passed by the House.

Mr. CULLOM. If the Senator would follow it closely he would find out.

Mr. TILLMAN. I am trying to follow it closely.

Mr. CULLOM. Section 101 was amended by the insertion of an amendment providing that "all Chinese and other Asiatics who came or were brought into Hawaii since August 12, 1898, under contract, etc., shall depart therefrom and from the United States within one year from the date of the taking effect of this act." That amendment was stricken out down to the proviso after the word "acts," in the last part of the paragraph, and the balance of the section remains in the bill reported by the conferees.

Sections 101 and 102 were not amended by the House.

One hundred and four, the last section of the bill, was amended by striking out "thirty" and inserting "sixty" by the House, but the conferees struck out "sixty" and inserted "forty-five." In the second line of the section as appears in the conference bill the words "excepting only as to section 52, relating to appropriations, which shall take effect upon such approval," were inserted and agreed to by the conferees. There was a mistake in the first conference report. It referred to a section of the bill as 53 when it ought to have been 52. That is all there was of that.

Mr. President, I desire to make a few general remarks, and then I propose to take my seat.

Mr. BACON. If the Senator will pardon me before he begins the general discussion, I was unavoidably out of the Chamber when one amendment was passed about which I wished to ask some questions. It may have been stated by the Senator, but I notice that there is an amendment here by which Hawaii is made a separate district and attached to the Ninth judicial circuit.

Mr. CULLOM. That is the bill verbatim et literatim as it passed the Senate, I think.

Mr. BACON. It is in italics here.

Mr. CULLOM. Yes, but it is—

Mr. BACON. If I recollect aright, the Senator from Wisconsin succeeded when that was before the Senate in having it changed. The Senator from Wisconsin took the position and argued it with great earnestness upon authority that it would be an unconstitutional court; that we had no right to establish a constitutional court outside of the organized territory of States.

Mr. CULLOM. The Senator will remember that after quite a discussion by himself and several other Senators, the provision as it was in the original Senate bill was amended so as to make it a legislative court in the estimation of the Senator from Wisconsin and the Senator from Colorado and the Senator himself, as well as the Senator from Connecticut. The House bill had the original provision in it as it was reported to the Senate, and it passed in that way, but the conferees insisted upon restoring the provision as it passed the Senate of the United States, and that was done.

Mr. BACON. I beg the Senator's pardon. I was misled by the printed copy of the bill as it came from the House.

Mr. CULLOM. I understand.

Mr. BACON. I supposed that was the status of the bill, but the statement of the Senator, of course, shows I am in error.

Mr. CULLOM. The Senator will find by looking at the conference report that the Senate provision was restored.

Mr. BACON. The Senator will see how it was that I made the mistake.