

warmed up and very much angered toward the luna. If he had told them through the interpreter, what he wanted, instead of abusing one or two of their number, it would have been different. It was no use making any complaint to the manager, for he took no notice of them. They understood that they were to work on the plantation for three years under contract, and were willing to do so to the best of their ability, if properly treated. They did not appear to have any serious grievance against the other lunas.

Since the rioting they claim that they have been treated a little better, yet there is room for much improvement. They claim that to be arrested for not working quick enough is a hardship, and at the same time they lose their money. The men receive \$12.50 a month; but out of this, \$1.50 is remitted to the board of immigration toward paying the laborer's return passage when he desires to return to China. That leaves him \$11; but there are very few that receive over \$6 or \$7, and some of them even less than that, on account of the persistent docking, for what they are at loss to understand. It would be of no use to say anything to the manager; he is always deaf to any of their complaints. Their next complaint was with regard to the number of hours they have to work. The contracts call for ten hours in the field.

In this matter I find that the men are turned out earlier than they ought to be, and sometimes are a little late in being sent home. I do not know what particular time is kept on the plantation, but I am very much under the impression from what I gathered that the mill clock is one of a kind that moves quickly or slowly as required. The men told me that since the fight the clock had changed. Another piece of information they gave me was that the sheriff, through his own interpreter, told them that they could leave the plantation any time by paying \$50 and go where they liked. This is only partly true. The sheriff has in his possession a letter from Manager Wolters stating that, as the men were a vicious and bad lot, he would like to release them. But Mr. Wolters forgets that he has not the authority to do so; it can only be obtained from the board of immigration, and then on certain conditions.

In regard to the docking of their wages, the men could not explain for what reason this was done, and certainly I got very little satisfaction from those in charge when I went into the matter. Sometimes a man feels sick when he gets up and, like other people, wants to see a doctor. He visits the doctor, who has probably quite a number to attend to. Say he gets through with the doctor about 10 o'clock, gets medicine, and feels better. If he goes in the field at noon to work the afternoon, the bookkeeper told me they do not pay the man for the afternoon. Some explanation was afterwards made to me by the manager, but it was not entirely satisfactory. The same may be said when I asked the question, "Do you dock the men's wages for working slowly?" The manager pays the men their wages, and I have asked him, in future to be very careful in his system of docking, and do it fairly. If the men have a grievance as to their wages, let it be stated through the interpreter. The idea of pushing a laborer on one side for asking the reason his wages have been docked, without any explanation, is not right.

Another complaint was that of a sick laborer who was recently returned to China; had seventeen days' pay coming to him which had not been paid. As the bookkeeper was laid up sick at his home, he could not explain without looking at his books. I have requested the matter to be looked into when he is well, and reported to me.

I next interviewed the luna, William Zoller. This man has been on the Lihue plantation for several years. He complains that the Chinese laborers are a tough and a bad lot, and hard to get along with. On the morning of the riot he says that the Chinese started the riot by coming out armed with sticks under their clothes. He did not say what caused them to come out armed. On pressing him, he admitted that he had laid hands on laborers at different times.

The manager also confirmed this latter statement. I was also informed that Zoller has been seen to go behind Japanese laborers in the fields, lift them up by their heads, and drop them. Lunas Wolters, Schmidt, and a German were questioned, but had very little to say. They said they had had very little trouble with the men and did not think Zoller had. I called on Dr. Watt, but as he had only been three weeks on the plantation, he could not say very much. He was unable to say anything from personal experience. He was very careful in his examination of the laborers and would not send them out in the fields to work without he was fully satisfied as to their condition.

Kong Wa Chang, a Chinese storekeeper, stated that the Chinese laborers on the plantation were treated very badly and were always complaining to him. Meeting Mr. A. S. Wilcox on the last day of my visit, and asking what I was doing in Lihue, he said to me without being asked that he was very glad some one had come down to investigate; it was very necessary to inquire into the brutal treatment that had been going on on that plantation.

Mr. George H. Fairchild, manager of the Makee Sugar Company, has a number of Chinese laborers who came at the same time and from the same place as those on Lihue. He says he has had no trouble with them. He does not allow his lunas to touch the men and is very strict in this matter.

A lady well known in Lihue volunteered the statement that she was ready at any time to testify to the ill treatment the laborers received at the hands of the lunas.

In my several conversations with the manager, Mr. Carl Wolters, he denied the truth of many of the statements made to me by the Chinese. He said that while away a short time ago there was trouble on the plantation, and the head luna was really the cause of it. About fifteen months ago the same luna had quite a row with the Japanese laborers. I said, "Why don't you get rid of that head luna, seeing that he is the cause of so much trouble?" and Mr. Wolters did not see how to answer me. He does not like to have trouble with his men, and his orders are that the lunas must not abuse the men.

I desire to state that after examining the laborers in the field I told them who I was; how I had been sent by the government to inquire into the trouble, and that Mr. Goo Kim Fui, their representative, knew I had come. I then, in brief, told them of the law under which they had come into the country; that at all times they were under the protection of the laws of Hawaii. They must at all times obey the laws. If they had any serious grievance, they must at once report it to Mr. Goo Kim. They should never take the law in their own hands. No good would come from that. I told them it was certainly not the wish of the Hawaiian government to hear of them being ill-treated. If at any time their wages were not correct, they should go to the manager with their interpreter. They thanked me for coming and listening to their troubles, and hoped they would be treated better in the future.

I visited the laborers while in their quarters and also while they were away. They did not make complaints, but really there is much room for improvement. I told the manager they were living in too crowded a condition. In one room, 15 by 20 feet, fourteen men were sleeping; in another, 16 by 20, twenty men were living.

If I may be allowed to review the above evidence and statement, I do not think there is any difficulty in coming to the conclusion that the trouble, which ended in serious rioting and the loss of life, was brought on by the harsh and, what I consider, cruel treatment the laborers have received at the hands of the head luna, William Zoller. There is not a man on the plan-

tation that likes him or has any good word for him. I am of the opinion that this man and the manager do not get along together and that the latter is afraid of Zoller. If the manager's instructions to the lunas have been to keep their hands off the laborers, they have not been followed out, and the manager is open to the severest criticism.

There is no way in which I can speak good of the Lihue plantation. I have listened to no outside or street talk; I accepted no hospitality from anyone in Lihue; had my eyes and ears open all the time I was there, and am fully convinced, after careful consideration, that in order to prevent a repetition of the past William Zoller, the head luna, should at once be discharged from the plantation and that Manager Wolters should be reprimanded and held to strict account for the better treatment of the laborers in the future. The docking of the laborers' wages should be done fairly, and their grievances should be given a hearing. There are soon some Chinese to arrive for Lihue, and I think that something should be done before they are sent to the plantation.

Respectfully submitted,

WRAY TAYLOR.

Secretary Bureau of Immigration.

Capt. J. A. KING,
President Board of Immigration.

Mr. PETTIGREW. I have another report dated June 19, 1897, of another plantation, and I think it is a fair sample of the whole miserable system. This thing has been going on for the last two years, or for the last year and a half under our flag, and we have this evil there to-day.

We were told when Hawaii was annexed that there would be a field for American laborers, but at the very moment of the annexation of the islands the Odd Fellows, the Masons, and every other organization there sent out warning to all the lodges in the United States, telling Americans not to go there, that there was no field for them.

Here is a circular issued on the 25th of August, 1898. We annexed Hawaii August 12, 1898, and on the 25th the Odd Fellows issued this circular:

A WARNING FROM HONOLULU!

HONOLULU, HAWAIIAN ISLANDS, August 25, 1898.

To all Odd Fellows, greeting:

The annexation of these islands by the United States has caused many brethren to project attempts to better their condition or to find employment in what they consider a new country.

Such we consider it our duty to warn and to speak to in plain terms.

The social and business communities of these islands were old and well established before the rush to California.

This is in no sense a new country.

The only opportunity here is for the man of large capital.

There is no employment here for mechanics of any kind or for unskilled labor. Many men of ability, of good habits, and first-class recommendations are now here practically stranded. There were idle men in Honolulu before the American flag replaced the Hawaiian flag.

All lines of small business are fully filled, and in most cases overcrowded. Do not come here unless you have the assurance in advance of steady employment, or have the capital to engage in land-development enterprises requiring large means.

We spread this positive advice because we wish to save brethren disappointment and distress. We state the facts, as in more than honor bound, and trust sincerely that this circular will accomplish its mission.

This circular is issued by Excelsior Lodge, No. 1, I. O. O. F., Honolulu, Hawaiian Islands.

The Masons issued a similar circular, as did the Knights of Pythias. The fact is that no Americans have gone there and found employment. Since that circular was issued, in which it is stated that there is no room for unskilled labor, they have imported to those islands 30,000—yes, 37,000—contract laborers from Asia and 7,000 have returned; so the net result of the importation is an increase of 30,000 contract laborers according to the statement I have already read.

In regard to the Gallicians, who came there from Austria, one was arrested at Hilo. He was brought before a magistrate, and he bared his arms and side and showed evidences of severe bruises, the result of the maltreatment and pounding of his overseer. The magistrate sentenced him to go back to that labor under that overseer and to that slavery, and he refused to go. He was then confined in the Hilo jail with common criminals. He took the case to the supreme court of Hawaii. In that case the court said:

The decisions rendered in the cases of Peacock & Co. vs. Republic of Hawaii (ante, page 27), Republic of Hawaii vs. Edwards (ante, page —), and Hawaiian Star Newspaper vs. Saylor (ante, page —) apply to these cases and practically determine the point that the provisions of the Constitution of the United States above cited are not in force here during the present transition period.

The defendants further claim that the prosecution should have been in the name of the republic of Hawaii under section 3, article 92, constitution of the republic of Hawaii, which provides that "all criminal and penal proceedings arising or now depending within the limits of the Hawaiian Islands shall be prosecuted to final judgment and execution in the name of the republic of Hawaii. * * * The style of all processes shall be, 'The republic of Hawaii,' and all prosecutions shall be carried on in the name and by authority of the republic of Hawaii."

We are of the opinion that this section does not apply to cases of this nature, and does not change the decision in the case of Coolidge vs. Puaaiki (3 Haw., 814), where it was held that suits of this character are civil actions and should be so entitled; "and in no respect do they fall within the duties of the public prosecutor."

The defendants are laborers brought from Austria under contract to serve the Honoum Sugar Company, whose sugar plantation is situated in the district of Hilo, island of Hawaii. Quitting their employment in September, 1898, and before the expiration of the period of three years, which they had contracted to serve, they were arrested upon warrants issued by the district magistrate of South Hilo and tried and convicted upon the charge of deserting their contracts of service. Zeluch was sentenced to imprisonment at