Mr. PETTIGREW. I read a statement of the offense.

Mr. ALLEN. I did not hear it. I thought the Senator was reading the syllabus of the opinion of the court. What was the specific crime with which the men were charged?

Mr. PETTIGREW. Simply declining to labor, and one of them showed that he had been punched and bruised and pounded by his overseer, and he preferred to go to jail rather than to return to such service. I should add that these were white men.

Mr. ALLEN. I should like to ask the Senator if he has a copy of the Hawaiian statutes which are in force on the subject of contract labor?

Mr. PETTIGREW. Yes; I have the Hawaiian statutes here.

Mr. ALLEN. I shall be glad to have the Senator insert those statutes in his remarks.

Mr. PETTIGREW. I will insert the sections which apply to this case. They are as follows:

Sec. 1417. Any person who has attained the age of 20 years may bind himself, by written contract, to serve another in any art, trade, profession, or employment for any term not exceeding five years.

Sec. 1418. No service contracted for in a foreign country to be executed in this shall be binding here: Provided, however, that all such engagements made for a longer period than ten years shall be reduced to that term, to count from the day of the arrival of the person bound in this republic.

Sec. 1419. If any person lawfully bound to service shall willfully absent himself for six months or shall be absent without leave for a term exceeding one year, the service shall be deemed void, and the person shall be subject to the same penalties as if he had been convicted of desertion.

Sec. 1420. Any such person shall suffer in accordance to the provisions of this section, or the terms of his contract, his master may apply to any district or police justice where he may reside, who shall be authorized, by his order, to arrest or retake such person, if it be shown to the satisfaction of the justice that such person is absent without leave or bad such person and bring him before said justice; and if the complaint shall be maintained, the justice shall order such offender to be restored to his master, and be dealt with according to the contract made by which he originally contracted.

Sec. 1421. If any such person shall refuse to serve according to the provisions of this section, or the terms of his contract, his master may apply to any district or police justice where he may reside, who shall be authorized, by his order, to arrest or retake such person, if it be shown to the satisfaction of the justice that such person is absent without leave or bad such person and bring him before said justice; and if the complaint shall be maintained, the justice shall order such offender to be restored to his master, and be dealt with according to the contract made by which he originally contracted.

Sec. 1422. If any such person shall refuse to serve according to the provisions of this section, or the terms of his contract, his master may apply to any district or police justice where he may reside, who shall be authorized, by his order, to arrest or retake such person, if it be shown to the satisfaction of the justice that such person is absent without leave or bad such person and bring him before said justice; and if the complaint shall be maintained, the justice shall order such offender to be restored to his master, and be dealt with according to the contract made by which he originally contracted.

Sec. 1423. If any such person shall refuse to serve according to the provisions of this section, or the terms of his contract, his master may apply to any district or police justice where he may reside, who shall be authorized, by his order, to arrest or retake such person, if it be shown to the satisfaction of the justice that such person is absent without leave or bad such person and bring him before said justice; and if the complaint shall be maintained, the justice shall order such offender to be restored to his master, and be dealt with according to the contract made by which he originally contracted.

Sec. 1424. If any such person shall refuse to serve according to the provisions of this section, or the terms of his contract, his master may apply to any district or police justice where he may reside, who shall be authorized, by his order, to arrest or retake such person, if it be shown to the satisfaction of the justice that such person is absent without leave or bad such person and bring him before said justice; and if the complaint shall be maintained, the justice shall order such offender to be restored to his master, and be dealt with according to the contract made by which he originally contracted.

Mr. CULLOM. Will the Senator allow me to interrupt him a moment?

Mr. PETTIGREW. I will.

Mr. CULLOM. I simply want to say that the purpose of this bill is to repeal all such laws as those, and then to make the bill so vexatious that it is impossible that such conduct shall be carried on toward those people.

Mr. ALLEN. With the permission of the Senator from South Dakota, I will say I have looked at section 10 of this bill, which I apprehend is the section to which the Senator from Illinois refers, and I do not think the amendment offered is broad enough to cover the whole of the situation.

Mr. CULLOM. We have been trying to get it broad enough for two or three days.

Mr. CARTER. I suggest that it is impossible, unless the Senator from Nebraska will speak louder, to hear what he says.

Mr. CULLOM. I am trying to say that I do not think the amendment which I find in section 10 is broad enough to cover the situation. It strikes me that it might all be covered in a very few words by referring to the sections of the Hawaiian statutes which the Senator from South Dakota [Mr. PETTIGREW] has read, and enacting that those sections shall be repealed which provide for contracts for labor, or for the enforcement of labor, statutes, or any enforced servitude shall be annulled, and that thereafter there shall be no involuntary service.

Mr. PETTIGREW. I have offered such an amendment.

Mr. CULLOM. I was about to say that the amendment of the Senator from South Dakota, to which he was replying in part, I supposed extended exactly what the Senator from Nebraska suggests; and, so far as I am concerned, I am in favor of adopting it.

Mr. ALLEN. It does partially.

Mr. CULLOM. I suppose the amendment the Senator refers to goes far enough to absolutely prohibit any such thing in the future; and if it does not, I am for an amendment that will do it.

Mr. ALLEN. If I may be indulged for a moment by the Senator from South Dakota, I wish to say that I have not had an opportunity for the last few days to be present in the Senate. I have just learned that a provision of the bill, a sentence that might be construed to include exactly what the Senator from South Dakota is now endeavoring to get rid of, and, with his indulgence, I want to read it. It is as follows:

Sec. 1. That the phrase "the laws of Hawaii," as used in this act without qualification, shall mean and include all the laws of the Territory of Hawaii, including regulations having the effect of law and the decisions of the supreme court in force on the 12th day of August, 1886.

Sec. 2. In case of any violation of the provisions of this act, the penalty specified in the laws of Hawaii, as defined in the preceding section, shall be enforced.

Mr. PETTIGREW. I wish to say to the Senator that those sections are, as I understand, specifically repealed by the first section of this bill, and that therefore I will give my reasons for offering the amendment which I offer, since I am discussing this question.

Mr. ALLEN. Very well.

Mr. PETTIGREW. I think this bill specifically repeals those sections of the Hawaiian statutes which I have been reading. Is not that correct, that the Senator from Illinois?

Mr. CULLOM. Yes; there is no doubt about it.

Mr. PETTIGREW. That is my opinion; but when I found that the supreme court of Hawaii had decided that these labor contracts with the sugar planters were valid, I gave civil process, and felt that it was necessary that something more specific and definite should be done than simply to repeal those sections. The committee agreed to an amendment which did something more specific and definite, but it also said that remedial measures might be had in a civil action against a breach of the contract, but whether it would be done by the civil process, or whether it would be done under a sum of money, the planters may sue those people by civil process. Therefore I brought in the amendment.

Mr. CULLOM. I have felt it my duty to expose these things, because the Committee on Foreign Relations chose to bring this bill here with section 10 in it, which was clearly intended to continue such contracts for labor until they expired. Therefore I determined to put the record of these infamous facts in the Congressional Record and let the people of the United States pass upon this question.

I now read a clipping from the Hawaiian Independent, which was sent to me by Mr. W. O. Carter, whose character is above reproach, who is one of the few exceedingly able men of high character who descended from missionaries stock in those islands. Most of them are a tough lot. I remember when the proposition first came here during Harrison's Administration for the annexation of Hawaii those missionary sugar planters signed a deliberate lie—Thurston and several of those people signed a deliberate falsehood; they knew it was false; they admitted afterwards that it was false, and wanted to know what difference it made. They undertook to rush through the treaty annexing those islands in the last days of Harrison's Administration by sending out a deliberate falsehood, signed by the sons of missionaries whose fathers went to Hawaii to convert the inhabitants to Christianity and whose sons have stolen all the lands of those people and their government beside.

Now, let us see what they have been doing since our flag went up. Many facts have been importing slave labor; and what is more, the pillars of the Congregational Church in Hawaii, the sons of those missionaries, own stock in the Waia plantation, and they have been boasting that they were being imports, Asians who were heathens so that they could come under the blessings of the influence of the sacred word; and they have set up a Buddhist temple, because they said it made the laborers more quiet, attending church every Sunday, while the planters went on with this performance.

The article in the Hawaiian Independent to which I have referred is as follows:

We daily see a large number of Galicians in the chain gang working at the quarantine for the United States to induce our philanthropist of the official organ wants to make the sinow and bone of these islands as "small (d.) small farmers," and yet they prefer to remain under the influence of the sacred word.