willing we are to take charge of them, and we are to govern them, assimilate them, their government, their commerce, their laws, their institutions, and all.

Mr. President, I do not deem it my duty to stand here and offer amendments to this bill. I believe it is the duty of the Senator to withdraw the committee which has passed upon this bill to present it in the form it should be. I shall not offer an amendment to it. If it were so drawn, Mr. President, that you could drive an ox team through it, I would not offer an amendment to cure its defects; it is that broad in some respects.

Mr. SPONNER. Mr. President, it is offered to accomplish a purpose—that is, to take those people, all the driftwood, the wash of the future, into the citizenship of the United States. There is not a people upon the known globe morally and physically so inferior, so turbulent, and so unfitted for American citizenship that you do not propose to make the law work for them. You do not care about its effect upon the American home; that signifies nothing. It may debase the scholarship of this country; it may, as it will, debase the citizenship of the laboring man for these people to come here in daily contact with him as a laborer and reduce the scale of living of his wife and children; but you care nothing for that; that signifies nothing. If you can extend your commerce, reap the rewards of the labors of those people, and reduce the condition of the laboring man in the United States, you will have served your purpose.

And all this is to be done, Mr. President, in the name of patriotism and the Divinity. It reminds me of a story that was told at one time about a section of this country—I shall not locate it—where a great scandal occurred in consequence of the misappropriation of public money, a scandal that shook the very foundations of the nation at the time. It was said that the chief in those scandalized section of that government was a regular attendant at prayer meeting, and when his associates were gathered around him at a Thursday evening prayer meeting, he always opened the services by saying, "In the name of God, let us rob somebody." [Laughter.] So it is every time that we seek to deplorably make use of the institutions of their institutions, we are doing it in the name of the lowly Nazarene.

Mr. SPONNER. Mr. President, we all take the same oath when we become members of this body. Each Senator determines for himself what the obligation of that oath is and what duty rests upon him. Misconduct flowing from it. I cannot account for the principle under which the Senator from Nebraska acts about this bill or any other bill that is presented for the consideration of the Senate when he says that he sees defects in it, if he saw objectionable provisions in it, he would not offer any amendment. The Senator, I believe, voted against the annexation of Hawaii.

Mr. ALLEN. I did.

Mr. SPONNER. So did I, Mr. President, or I was paired against it; but Hawaii was annexed; the Congress of the United States made it a part of the United States, and we are now engaged in framing an act of incorporation for Hawaii as a part of the United States. I cannot reconcile it with my duty as a Senator to neglect it or to be indifferent to the provisions of the bill.

Mr. MR. ALLEN. Will the Senator permit me? The PRESIDING OFFICER. Will the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. SPONNER. Certainly.

Mr. ALLEN. I utterly repudiate the power of Congress to annex the Hawaiian Islands by a joint resolution such as passed the Senate. It is ipso facto null and void.

Mr. SPONNER. I had my questions about that. I have my convictions about it.

Mr. ALLEN. My constitutional convictions are clear.

Mr. SPONNER. But that is a political question, not subject to review by the courts.

Mr. ALLEN. If the President begs the Senator's pardon.

Mr. SPONNER. I grant it.

Mr. ALLEN. The Senator ought to. It could be made the subject of review by the courts. It could be very easily made the subject of review by quo warranto or some other process.

Mr. SPONNER. Quo warranto? How did it come into existence? And, how is it to be dealt with, if it is to be nullified? Suppose a citizen of the Hawaiian Islands should be arrested. Could not that be raised by a question of habeas corpus?

Mr. SPONNER. Of course not.

Mr. ALLEN. Of course not? Of course it could. But I want to know, for instance, it seems to be delegated to take charge of me on almost all occasions.

Mr. SPONNER. I beg the Senator's pardon. That is not true. I decline that responsibility.

Mr. ALLEN. It will take lots of the Senator's time if he discourses upon that duty fully. But what I want to say, and then I will quit, is that I have no respect whatever for the judgment of the Senate in passing a joint resolution to annex the Hawaiian Islands, and I discharge my full constitutional duty, in the light of my responsibility to God and to my country, when I vote against every measure of this kind.

Mr. HOAR. I rise merely to ask the Senator from Colorado [Mr. TELLER] a question. I do not wish to take the floor.

Mr. TELLER. I will wait until the Senator from Massachusetts gets through.

Mr. HOAR. I thought the Senator was through.

Mr. SPONNER. I yield to the Senator from Massachusetts.

Mr. HOAR. I beg pardon. I thought the Senator had concluded. I merely wish to ask a question.

Mr. SPONNER. The Hawaiian Islands were annexed to the United States by a joint resolution passed by Congress. I reassert, although my distinguished legal friend the Senator from Nebraska is absent, that that was a political question and it will never be reviewed by the Supreme Court or any other judicial tribunal. That is too well settled to admit of any doubt except perhaps here in this State.

I think the Senator from Nebraska is mistaken, and I think the suggestion made by the Senator from Massachusetts is not without question. Section 5 says:

That except as herein otherwise provided, the Constitution and all the laws of the United States and of the Territories shall be the law of the land in Hawaii, and all persons resident therein shall be subject to the same, and shall be entitled to all the privileges and immunities of citizens of the United States under the same conditions and in the same manner as though they were citizens of and residents in the State of the nearest Union.

That has been amended so as to read "not locally inapplicable"—shall have the same force and effect within the said Territory as elsewhere in the United States.

That is the language which has been employed always in legislation for the States and Territories and the government of Territories. But that is not all.

Mr. HOAR. I want to ask my honorable friend a question. The laws of the United States, unless they are locally inapplicable, like laws establishing light-houses or other laws having a local significance in the State of Hawaii. Now what meaning can section 6 have, that being the case, if the Senator be right? Will he state, for instance, a law of Hawaii on any general subject of legislation which would be inconsistent with the laws of the United States?

Mr. SPONNER. I suppose there are a great many.

Mr. HOAR. Suggest one as an example.

Mr. SPONNER. I am not familiar with the laws of Hawaii.

Mr. HOAR. Suppose you were applying this to Wisconsin.

Mr. SPONNER. We are not proposing here to provide in every particular for Hawaii.

Mr. HOAR. But they provide for the laws of the United States Territories as to marriage, divorce, crimes, misdemeanors, and all those things. Now, all the laws of the United States are to go over the Territory.

Mr. SPONNER. Hawaii was a republic.

Mr. HOAR. Now, they have saved some section by section. What have they saved?

Mr. SPONNER. I will tell the Senator what I think they have saved. Hawaii was a republic. It was an independent government. They had a system of laws of their own enactment. When Hawaii was annexed to the republic by name and by organization and everything relating to it, excepting the laws constituting the republic with foreign nations. So the laws in Hawaii in force to-day are expressly kept there in force by an act of Congress, and the President has no power in regard to them except to designate the laws under which it is to be executed.

Mr. SPONNER. And to direct the manner in which they are to be executed.

Mr. MORGAN. Unless the legislature repeals them.

Mr. MORGAN. Unless they are repealed by their own legislature. That included the whole system of government in Hawaii. The laws of the republic by name and by organization and everything relating to it, excepting the laws constituting the republic with foreign nations. So the laws in Hawaii in force to-day are expressly kept there in force by an act of Congress, and the President has no power in regard to them except to designate the laws under which they are to be executed.

Mr. SPONNER. And to direct the manner in which they are to be executed.

Mr. MORGAN. Certain laws are repealed expressly by this bill. That is what is meant by this exception:

That, except as herein otherwise provided, the Constitution and laws of the United States, or the provisions of this act shall continue in force, subject to repeal or amendment by the legislature of Hawaii for the Congress of the United States.