The Clerk read as follows:

DISQUALIFICATION BY RELATIONSHIP, PREVIOUS INTEREST, OR PREVIOUS DEFEAT

Sec. 84. That no person shall sit as a judge or juror in any case in which his relative by affinity or consanguinity within the third degree is interested, or in which or of the government, or in which the said judge or juror may have, either directly or through such relative, any pecuniary or other interest.

Mr. KNOX. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

AMENDMENT

Sec. 85. That the judges of the circuit court of the Territory shall be liable to removal from office on impeachment by the house of representatives upon the charge of misbehavior in office, or of any act or neglect of duty in violation of the duties of their respective offices.

Mr. ROBINSON of Indiana. I desire to call the attention of the chairman of the committee to the next section to be read, providing for impeachments. In view of the fact that the House by a pronounced vote has provided that the President shall appoint the judges, I will ask the gentleman to give his attention to that paragraph, and will ask whether it should not be stricken out?

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Strike out all of section 85.

Mr. COX. I should like to call my friend's attention to the fact that we may be acting too hastily. We have conferred on the President the power to appoint the judges, and the power to remove; but suppose a judge is guilty of misconduct and the President neither removes nor takes any action in the case. I think the President should be impeached.

Mr. ROBINSON of Indiana. I would very much sooner trust it to the President than to the Territorial organization of the legislature; and it would not do to bring them into conflict upon that line.

Mr. COX. That is all right, if you want to take it out; but you will have a judge, if he runs with the President, that is in for all time.

Mr. ROBINSON of Indiana. This was provided so the appointment could not be made by the governor of the Territory, and it would be a check.

Mr. KNOX. I cannot hear a word, Mr. Chairman.

Mr. BELL. I want to ask the chairman of the committee how you get rid of the circuit judges?

Mr. KNOX. He is appointed by the governor.

Mr. BELL. He is appointed by the President; not the district judge.

Mr. KNOX. You mean the United States district judge. We have not come to that.

Mr. BELL. This is the judge of the Territory. After the governor makes the appointment, can he withdraw him?

Mr. ROBINSON of Indiana. The circuit judges are not appointed by the President.

Mr. BELL. How can you get rid of them?

Mr. ROBINSON of Indiana. It would not do to bring in conflict the legislature and the President.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Massachusetts.

The question was on agreeing to the amendment as agreed to.

The Clerk read as follows:

DELEGATE TO CONGRESS

Sec. 86. That a Delegate to the House of Representatives of the United States, to serve during each Congress, shall be elected by the voters qualified to vote for members of the house of representatives of the legislature; such delegate shall possess the qualifications necessary for membership of the house of representatives of the state or territory. The manner of holding elections shall be as fixed by law. The person having the largest number of votes for a delegate shall be declared duly elected, and a certificate shall be given accordingly. Every such delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting.

Mr. HILL. I offer an amendment.

The Clerk read as follows:

Strike out on page 99, and including line 30 to and including line 9 on page 99, and insert the following:

TERITORIAL COMMISSIONER

"In lieu of a Territorial Delegate, the governor may nominate and, and with the advice and consent of the senate of the said Territory of Hawaii, appoint a commissioner of said Territory, to reside at the capital of the said Territory, and to hold the same office for such term, to be fixed by law, not exceeding the term of the said Territory; his term of office shall be two years; his salary shall be $5,000 per annum, which, with his actual, incidental, and necessary expenses in the said Territory and returning thereto, shall be paid by the United States."

Mr. HILL. Mr. Chairman, I voted for the annexation of Hawaii. During that discussion a very remarkable speech was made by the gentleman from Missouri [Mr. CLARK] upon the annexation of Hawaii. I want to read a portion of that speech:

"If we annex Hawaii and you, Mr. Speaker, should preside here twenty years hence, it may be that you will have a polyglot House, and it will be your painful duty to recognize 'the gentleman from Patagonia,' "the gentleman from Cuba," "the gentleman from Santo Domingo" "the gentleman from Korea," and "the gentleman from Hongkong."

And so on. I will not quote further from that remarkable speech, but the quotation which I have now read, when it was uttered, seemed to me to mean the presentation of this bill, for a Delegate from a Territory with the small population of Hawaii, has made that speech partially fulfilled prophecy. Now, I object to a Delegate from Hawaii, with any of these insular possessions, and I object to it because since the adjournment of the last session of Congress on the 4th of March, after the most careful and intelligent inquiry, I have failed to find a citizen of the United States who believes in a political union with any of these insular possessions; and I object to it because I think that when this law is put into operation, it will be at this time. Therefore I move to strike it out; and I want to call the attention of the House to the successive steps that have been taken which have brought us to this position.

It seems to me that with the Hawaiian people when annexation was asked for with the United States that it was to be a Territory of the United States, and when the measure was presented by the distinguished chairman of the Committee on Foreign Affairs, standing in the aisle near where he is now sitting, holding in his hand the measure upon that occasion and was asked by a gentleman on the other side of the House, "What form of government do you think will be recommended for the Hawaiian Islands?" And the gentleman made this reply: 'I am not prepared to answer that question, but I will assure you that we are not giving the Hawaiian Islands to the United States; we are not making them a county of the State of California, with such understanding and with such conditions for the annexation of Hawaii. To-day there are full-fledged Territories like the delegate to the House of Representatives, and Territories like the delegate in the American Congress."

Mr. FITZGERALD of Massachusetts. I would like to ask the gentleman a question.

Mr. HILL. I have but five minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. HILL. Now, I claim the people of Hawaii themselves did not expect, neither do they now, neither did they want nor do they want now, practically universal suffrage.

Mr. MONDELL. I would like to ask the gentleman where he got his information that they do not desire it?

Mr. HILL. The Hawaiian republic was organized as a protest against Kanaka rule. I have the facts here before me.

Mr. MONDELL. What has that to do with this?

Mr. HILL. If the Hawaiian people desire to be part of the United States we will see that the Hawaiian people have the idea of the Lilo-kalani was deposed from the throne, and in order to control the Territory those who were looked upon as citizens of Hawaii at that time were compelled to enforce a restricted suffrage. They did that in order to keep the property qualification under which that was done; but I am in favor of lowering the property qualification over these islands, and opposed to voting to give a Kanaka representative a seat in the House of Representatives or a Kanaka representative in the House of Representatives of the American Congress.

Now, I have said they were not in favor of it themselves. Their own action is the best comment on this bill. Their manner of controlling this was by making a property qualification. The report of the Committee on Territories in the Fifty-fifth Congress says:

The amendment recommended in section 34, which prescribes the qualifications of members of the senate, strikes out the property qualification therein provided and makes the qualification that of an elector for members of the senate, which, by section 86, is the ownership of real estate of the value
