Mr. CULLOM. I have just stated; but I will state it again, so that it may be understood.

Section 4, as passed by the Senate, provided—

That all persons who were citizens of the republic of Hawaii on August 12, 1898, are hereby declared to be citizens of the United States and citizens of the Territory of Hawaii.

The House amended it, and the conference agreed to the amendment by adding this provision:

And all citizens of the United States who were resident in the Hawaiian Islands on or since August 12, 1898, and all citizens of the United States who shall hereafter be naturalized in the Territory of Hawaii for one year shall be citizens of the Territory of Hawaii.

Mr. BACON. Will the Senator right there permit me to ask a question for information?

Mr. CULLOM. Yes.

Mr. BACON. I desire to ask the Senator—I probably knew, but I have forgotten—the question of the constitution of Hawaii on the subject—as to the extent of citizenship under the republic. Were all the inhabitants made citizens?

Mr. CULLOM. No, sir. There are a class of citizens existing under the republic who declined to take the oath of allegiance.

Mr. BACON. And they were in consequence not citizens?

Mr. CULLOM. They were in consequence not entitled to vote.

Mr. BACON. But were they citizens of the republic?

Mr. CULLOM. I suppose they might be regarded as citizens of the republic.

Mr. BACON. The Senator will see the pertinency of that inquiry when that part of the section is taken in connection with the amendment to which the conference has agreed, because if they were not citizens of Hawaii on August 12, 1898, they are not now under this bill made either citizens of the United States or citizens of the Territory of Hawaii.

Mr. SPOONER. And they could not become citizens of the United States except by naturalization, and I do not know that they could by naturalization under the existing law.

Mr. BACON. Yes.

Mr. CULLOM. I think the Senate will find that there is scarcely anybody over there who is not entitled to vote, except the Chinese and Japanese.

Mr. BACON. The Senator will pardon me for interrupting him. I am not speaking of the right to vote. A man can be a citizen of the United States and yet not be a citizen of the Territory of Hawaii. I am speaking of whether or not on the 12th day of August, 1898, all the inhabitants were citizens, because those of them who were then not citizens are excluded by this bill from being now made citizens. I suggest to the Senator that is a matter of such vital importance that we ought not to have definite and absolutely accurate knowledge upon it. It ought not to be a matter of doubt.

Mr. TILLMAN. Has the Senator from Illinois got the Hawaiian code before him at his desk?

Mr. CULLOM. I was just going to say that after I get through with this bill I will get the Hawaiian code and give the exact state of the case in reference to that question.

Mr. TILLMAN. If the Senator will send for it now, I can be looking it up whilst he is speaking.

Mr. CULLOM. I do not know whether or not it is in my committee room. It has been carried off, I think, but I shall look for it.

The fifth section was changed by the conference so that it might be more certain that the Constitution of the United States was extended over the Territory by the act. That is the chief purpose of the amendment to section 5 by the House of Representatives urged to by the conference.

Mr. BACON. What I wanted to know was whether or not the Senator was prepared to say that, under the constitution of the Republic of Hawaii, all residents, all bona fide inhabitants—I do not mean visitors, but those who reside there—ought to be citizens of the Territory of Hawaii, and were on that date, under the constitution of the Republic of Hawaii, citizens of the republic?

Mr. CULLOM. I understand the Senator's question, and I will state that later on I will get the statutes of the Hawaiian Republic and see exactly how they are in this respect. Mr. BACON. I suppose the Senator desires that we should, as he takes these sections up, ask him such questions as may suggest themselves. I think we shall save time by following that course.

Mr. CULLOM. I have no objection to that.

Sections 6, 7, 8, and 9 were not at all changed after the bill passed the Senate, but they remain in the bill just as it was passed.

Section 10 was amended by the House, but all the amendments made by the House were receded from except the last paragraph, which was added to the bill by the House and agreed to by the conference. The Senate will remember that the first line of section 10 referred to obligations and contracts. The Senate struck those words out, and then added a section or two with reference to the attitude of contract laborers over there, which was agreed upon by the Senate, I think, as substantially if not absolutely right. Those sections remain in the bill exactly as they were, except that there was a provision added to the section to which I will call the attention of the Senate.

The last paragraph of section 10 provides:

To prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, territories, and District of Columbia, and to provide that the provisions of this act shall be regarded and administered as applicable and in force in those islands. So, that with that addition to section 10, as the Senate passed it, the bill stands to-day as it is before the Senate in the conference report.

Section 11, providing for the style of process, was amended by the House to insert the word "hereafter." That is all that amounted to. Some of us did not think it was necessary, but one of the conferees thought it was, and so the word was inserted.

Sections 13, 14, 15, 16, and 17, as they passed the Senate, have not been changed.

The eighteenth section, providing that every citizen entitled to vote shall take an oath to support the Constitution, was stricken out, and only that portion retained relating to idiots, insane persons, persons receiving bribes, etc.

Mr. BACON. That has been retained.

Mr. CULLOM. That has been inserted by the House.

Mr. BACON. There is no change in relation to idiots, insane persons, persons receiving bribes, etc., remains in the bill, but the first part of the section is stricken out.

Mr. BACON. I notice that the clause to which the Senator referred, beginning on page 11, at line 24, in the copy I have, is stricken out. Under the House provision on that subject, the House has been restored by the conferees. Is that so?

Mr. CULLOM. What clause is that?

Mr. BACON. On page 11 of the reprint, the last clause to which the Senator has just referred.

Mr. CULLOM. In which I read it is retained.

Mr. BACON. It has a line stricken through it.

Mr. CULLOM. But it was reinstated by the conference.

Mr. BACON. That was the question I asked.

Mr. CULLOM. Sections 10, 20, 21, 22, 23, and 34 were not inserted in the conference report, but in the Senate provision no changes were made in those sections as passed by the Senate.

The twenty-fifth section was amended so as to punish persons for disorderly or contemptuous behavior in committee, as well as in the house of representatives, to which the conferees agreed, in order to preserve the House provision on that subject instead of the Senate provision, which seemed to be a little more satisfactory. I do not think there was much difference in the two sections, but the Senate yielded on that score.

There was no change made in the Senate bill in the twenty-sixth section, but in the twenty-seventh section the provision of the Senate was stricken out and in lieu of it the following was inserted:

SEC. 27. That each house may punish its own members for disorderly behavior or neglect of duty, by censure, or by a two-thirds vote suspend or expel a member.

That is the provision I referred to.

There was no change made by the House or by the conference in sections 28, 29, 30, 31, 32, and 33, and they remain in the bill as it was passed by the Senate.

In the fourteenth section, relating to the qualifications of senators, an amendment was made requiring senators to have attained the age of 30 years instead of 25 years.

There was no change made in sections 35 and 36. In section 67, after the word "vacancies," the words "in the office of representatives" is inserted.

Mr. BACON. The Senator will pardon me a moment. He will recognize that section 84 may be very materially dependent for its constitution upon the section to which I first called the attention of the Senator, which relates to the question of the Senate, the Senate having its members not elected until the 12th of August, 1898; because if it should be found to be, as has been suggested, that there was a large part of the then inhabitants not citizens, they would be made ineligible, of course, under this language inserted in section 34, to any office, because they could not

Mr. CULLOM. I was going to say that this section provides that a person, in order to be eligible to the office of senator, shall be a male citizen of the United States and shall have attained the age of 30 years, instead of 25 years, and

Mr. CULLOM. I have said that he shall have been a senator for not less than three years, and shall be qualified to vote for senators in the district from which he is elected.

Mr. BACON. I understand; but I was simply calling the attention of the Senator to the fact that it may be necessary to recur to that section if it is found necessary to amend section 34.

Mr. CULLOM. The purpose of the committees of both Houses